

PROTESTERS no Subverters AND Presbyterie no Papacie;

O R,

A VINDICATION of the Protesting Brethren,
and of the Government of the Kirk of *Scotland*,
from the Aspersions unjustly cast upon them, in a
late Pamphlet of some of the Resolution-party,
Entituled, *A DECLARATION*, &c.

With a Discovery of the insufficiency, inequality and
iniquity of the Things propounded in that Pam-
phlet, as Overtures of Union and Peace.

Especially,

Of the iniquity of that absolute and unlimited submis-
sion to the Sentences of Church-Judicatories that is
holden forth therein, and most unjustly pleaded to be-
long to the Being and Essence of Presbyterial Govern-
ment.

To the Law and to the Testimony, Isa. 8. 20.

We can do nothing against the Truth, but for the Truth,
2 Cor. 13. 8.

By some Witnesses to the way of the
Protestation.

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Protesters no Subverters,

A N D

Presbyterie no Papacie :

O R,

A Vindication of the Protesting Brethren, and of
the Government of the Kirk of *Scotland, &c.*



THough the Brethren for the Protestation are not unsensible of the manifold injuries done unto them by a Pamphlet, bearing the title (but little more) of *A true Representation of the rise , progresse and state of the present Divisions of the Church of Scotland ,* And diligently spread at home and abroad, and industriously put into the hands of publick persons in both Nations, for making them take up such thoughts , and entertain such impressions of these Brethren and their principles and cause, as are with more animosity than candor or truth represented therein ; Yet hath (as we conceive) the conscience of their own innocency, and the testimony which they have therof in the hearts of most of the Godly in the Land, with the small delight they have to spend their spirits, and their time, and to trouble the world with a frequent reiterating and multiplying of Answers to groundlesse and unjust imputations , perswaded them

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hithertills to be silent, and to rest satisfied with what was by them formerly published in the defence of their cause and persons. Neither would we have any to wonder that they do not return an Answer to that Paper, lately published, bearing title, *A Declaration of the Brethren, who are for the established Government and Judicatories of this Kirk, expressing their earnest desires of Union and Peace with their dissenting Brethren*; Though we do not (as the authors of this Paper, in order to the Publick-resolution party) take upon us to speak in their name, Yet may we, as not being altogether strangers to their mind in these matters, say, that they are silent also at this Paper, 1. because, though it do in some part of the Title and Contents thereof profess for, and pretend unto peace; Yet, is it upon the matter, and for the body of it, but *crambe recolta* with the former, a bundle of the same calumnies wherewith the former was fraughted, a little more closely knit, and published to the world in a new dresse and set off with a profession and pretext of desires to union and peace; And why should so many put themselves to the pains to assemble together for answering things that have been often answered already; And, is not indeed an overture of peace, but in effect a heap of bitter invectives and reproaches. If the authors of it had not set the words of *Union and Peace* in the frontispiece of it, we doubt that ever any should have owned it, or known it by that name; for, it doth every-where breath discord and war: that we may truly say with the Prophet *Micah*, ch. 3. 5. whilest they cry, *Peace, peace*, they bite with their teeth: and with the Psalmist, *Psal.* 55. 21. that whilest the words of

of their mouth are smother then butter, yet war is in their heart, that whilest (some of) their words are soft as oyl, yet most of them are like drawn swords; or, if there were any real inclinations to peace upon the spirits of the authors of this Paper, we may fitly compare them to the first Painters in some Countries of old, whose draughts were so rude, that unlesse they had written above the head thereof, This is a Horse; This is an Oxe, &c. the beholders would never have discovered their aim therein. Or, we may say of them, as *Georgius major* writeth of the fathers of *Berge*, who were authors of the book, called *Formula concordiae Bergensis*,

*Aut mens Vulcanum, aut forceps indocta fefellit,
Esquum voluit cudere cudit epiv.*

The Smith's unskillfull mind, or tongs,
have, sure, deceiv'd him far;
When as he would have forg'd a Peace,
he hammereth out a War.

Union and peace, when stated upon the right basis, and carried-on by lawfull means, and in order to right ends, are things precious and excellent; How seasonable, and strengthning, and refreshing a blessing would such an union be unto the Church of *Scotland* in this day of her trial? Would God that these Resolution-Brethren, who do in this Paper testifie so highly of themselves, as to their making conscience to lament our divisions before the Lord, and of afflicting their souls because of them, and for the sins procuring the same, and of their peaceable disposition and patience to bear, and readinesse to forgive injuries, had been so happy

therein as to tread the paths of peace, and to speak the words of sobernesse and truth, we are hopefull it had found answerable entertainment from their Brethren for the Protestation, who, from no disrespect to them, but from the conscience of their duty and zeal of the Lord's Cause, have in some things witnessed against their way; but when they do thus use them, or rather abuse them, as seeming to speak them for union and peace, and yet not only hold fast most of what hath been the ground of their grievance and complaint, but operously labour and industriously endeavour by a congestion of groundlesse alleagences and grosse misrepresentations of matters of fact, with ill-knit consequences deduced therefrom, and from some other things true and honest in themselves, to prove them, and proclaim them to the world to be a party of ambitious, turbulent, subdolous men, who have been all this while affecting domination in the Church, and designedly projecting the subversion and overthrow of its Government; yea, that their leading men have of late attempted the utter ruin of this Church, and of those who differ from them. We hope that no man of an impartial judgment will think that the protesting Brethren can otherwise entertain such a treaty of union and peace, that is the efflux of so bitter and unpeaceable a spirit, than with deep silence and just contempt, unlesse they would betray their own innocency, and the justnesse of the cause which they do maintain, by treating a Peace upon such perswasives and foundations, as do all-along heighten division and build up war. 2. Though this Paper, bearing the name of *A Declaration of the Brethren who*

are for the established Government and Judicatories of the Church, And so seem to lay claim to all the publick resolution party, as its father; Yet is it a thing very doubtfull whose it is, or who do own it: certain it is that it did not proceed from any Church-authority, but from some persons in an extrajudicial capacity: whether these were intrusted by their Brethren in the severall parts of the Land for that effect, themselves best know. In the mean while they must give us leave to tell what we know, that sundry of their Brethren in severall parts of the Country do professe themselves strangers to the contrivement of it, and dissatisfied therewith, some upon one accompt and some upon another; And that a good while after it was published and going abroad in print, as the Declaration of all that party, many of them in severall parts of the Country were inquiring. What is it? and, what saith it? The truth is, a Junctio of some few, who use to meet at *Edinburgh*, do in these things what they judge convenient; and that they may not seem to take too much upon them, they would make the world believe that all of their party do it, whilest it is evident enough (many of that party being witnesses) that most of them are not privie to it, and many of them are dissatisfied with it. A thing hardly tolerable in a publick Declaration, that pretendeth to speak the mind and judgment of the whole, and that in matters of such concernment and contradiction: And we have the more reason to take notice of this, because though after the publishing of that Declaration it was confidently given out by some of the publick resolution Brethren, and generally expected by these of the other

judgment, that it should have been owned by the Kirk-Judicatories of that judgment, and tendred by them to the protesting Brethren in a judicall way, as containing fit means of union and peace; Yet cannot we hear that the Presbyteries or Synods of that way have owned it, or approven thereof; yea, sundry Synods being by men of the other judgement put to it, to declare themselves whether they would own it or not, did refuse (some of them) to declare themselves therein, till the other Brethren should first declare themselves satisfied therewith: which was in effect but to seek a shadow of some tolerable diversion, thereby to wave the determination of the question, upon which they would probably have divided in their votes; and others of them would not do so much as to take the desire in consideration: How then can the protesting Brethren own it as a Declaration of the other party, or return any Answer to it upon that accompt, as long as it is not able to fetch its descent but from a few private persons (whose names also we are left to guesse at) and is not only not owned by their Judicatories, but by some not acknowledged, and spoke against by other Brethren of that party.

These and such like considerations do sufficiently justifie the protesting party as to their forbearing any common Answer to that unfavoury Paper; Yet seing not a few of the other side do please themselves in the criminations contained therein, as unanswerable, and in the proposals of peace which it doth hold forth as very equal and reasonable, whereby they heighten themselves in their own way, and in groundlesse prejudices against others,

others, and endeavour to stumble such as are weak, We trust that it shall be service not unacceptable to God, nor unpleasant to the protesting Brethren, nor unprofitable to those of the resolution-way, nor unedifying to the Church and People of God, if we shall give an Answer to that Paper, not tracing it word by word, or line by line, but first by clearing innocent men and a good cause, of these groundless prejudices that seem to be deeply rooted upon the spirits of the authors and owners of that Paper, and are therein blazed abroad to the world against their Brethren. 2. By discovering the insufficiency, and inequality and iniquity of the proposals of peace that are made therein, that (if the Lord so will) these miserable mistakes being removed, they may see things as they are, and attaining some right understanding thereof, may be brought to allay their passions and cease from their persecutions, and to redintegrate their affection to their Brethren, and to proffer unto them such terms of union and peace as do be seem the men of God, who do indeed deny themselves, and seek not their own glory, but the glory of Him who sent them : or, if they will not see nor hearken, yet we may, according to our measure, bear record unto truth and innocency ; And let unbyassed persons know that the protesting Brethren are not men of that spirit and character whom that Paper pointeth forth. Besides the inducements already mentioned, there is one particular that hath in a special way prevailed on us to take notice of that Paper, to wit, that the authors thereof, and of the late Representation, do not only continue to plead for that absolute and unlimited submission to the

sentences

sentences of the Church-Judicatories that was required by the resolution Brethren in the conference at *Edinburgh, Novemb. 1655.* but carry it so high as to assert it to be of the very essence and being of presbyterial Government, by which instead of the sweet and gentle yoke of Jesus Christ in that Ordinance, as it is delivered unto us in His Word, they have laboured (we fear) to introduce into the House of God a Kirk-government that is too nigh of kin to that which is popish, prelatical and tyrannical. There could not have been a more unhappy assertion concerning the Government of the Kirk fallen upon and published in these times, not only in order to the peace by them pretended, it being sadly suspicious that there is no good intention under the offer, when the stronger party doth so much presse the absolute submission of the weaker to all their sentences whatsoever, whether just or unjust; But also, it being more than probable that men of a prelatical spirit will take hold thereof, and presse it on as subservient to the re-introducing of their way; and that those of the congregational and independant judgment will make use of it for rendring presbyterial Government hatefull and odious, and bringing it in suspicion and jealousy with the godly: And whether some of the resolution party who do retain their old love to the prelatical way, or others of them, who (if good testimony may be credited) did since the beginning of these differences, professe their dislike of the subordination of Kirk-Judicatories, and their respect to the congregational way, have for their own ends had hand in this thing, we leave it to wise men to consider. But now to proceed in our work.

The

The first and great prejudice which that Paper, and, as it seemeth, these Brethren's spirits are filled with against the Brethren for the Protestation, is, That they do not only dissent from, but also have it in their thought and design, to subvert and destroy the established Government of the Church of Scotland by Presbyteries and Synods, and that their practices do manifestly tend thereunto. The title and frontispiece of their Paper beareth them to be *the Brethren who are for the established Government of the Kirk of Scotland*, And the other to be *the dissenting Brethren*: which circumscriptions of the two parties in one sentence, without terminating their dissent to any thing else, is obviously liable to this construction, That they do dissent from that Government. In the beginning of the fifth page, they say, *They did easily foresee that their way did manifestly tend to the overturning of the established Church-Government*, and a little downward in the same page, *That soon after, and constantly to this day by their irregular practices, contrary to all order, they have bewrayed their small respect to the established Government*; and toward the close of that section, that *they expressly refused subordination and submission to the Judicatories of the Kirk, a principle inconsistent with presbyterial Government in a constituted Church*. And having in the next page reckoned over some practices and proposals of the protesting Brethren, they do thus conclude of them, *These projects (say they) we look upon as setting up in effect a new Ecclesiastical Jurisdiction, and a Plant which is not of Gods planting, and not only suspending the established Church-Government sine die, but totally subverting it to make way for*

for the projecters their domination in the Church and over their Brethren. When we read and repeat these things, we cannot but bemoan the blindnesse and weaknesse of the sons of men as they are now cloathed with corruption and a body of death. Our Brethrens great quarrel and plea, they professe to be from their zeal to maintain the Government of the House of God, which to their apprehensions the other would subvert and destroy. And if the protesting Brethren were to give an accompt of the grounds of their dissatisfaction with them in the proceedings, wherein they have been forced to differ from them, and to testifie against them, or of these courses and practices which they call irregular, and altogether disorderly and destructive to the Government, We trust they can in the simplicity of their souls say, That next unto the great End for which Government was appointed by Jesus Christ in His House, to wit, the edifying and building of His Body in those things that pertain to life and godlinesse, the fear of the resolution Brethren their ruining of the Government of the Kirk of Scotland, and other the precious Ordinances of God, and the work of Reformation, by departing from the purity, and genuine and primitive principles thereof, and neglecting to improve the same to the ends for which they were appointed of God, and abusing them oftentimes to contrary ends, together with a desire to preserve these things unto edification, hath been and is the thing that most prevaileth upon them in all these matters; And what a sad thing is it that both having the confidence to say that they are one in their end, and do design the same thing, that yet the one of them

them should so far mistake their own way, as to choole means destructive to their own ends; or, which is worse, that they should dissemble and mock God, and abuse the world with making profession of one thing, whilst the contrary is designed in their hearts, and acted by their hands.

But how shall we perswade the resolution Brethren that the other do not dissent in the matter of Church-government, but do own Presbyteries and Synods as an Ordinance of Jesus Christ, and as the Government appointed by Him who is faithfull over all the House of God as a Son? For, to say that they do professe for it, and preach for it, and plead and print for it, and that they own and acknowledge themselves members of Presbyteries and Synods, and give obedience unto, and put in execution their just Sentences; and that they do not professe, nor preach, nor print, nor plead, nor act for, nor subject themselves unto any other Church-government: Though these things be clear and evident, and such as have been confirmed by the constant tenor of their way now for many years, and is well known in all these three Nations; Yet haply it shall not ransom them in this point from the bondage of their Brethrens jealousy: Shall they then open their hearts unto them, and take God, who knoweth them, to record, upon their souls, that so far as they have obtained mercy to know themselves and their own judgement, in that which concerneth Church-government, they do judge Presbyterial Government, as it is holden forth in the second Book of Discipline, and in the Acts of uncontroverted Assemblies of
this

this Church, and sworn to in the National Covenant, and Solemn League and Covenant, to be founded upon, and agreeable unto the Word of God, and the only Government warranted and appointed of God, by which He would have His House to be ruled under the New Testament, and hath no thought nor design of subverting or destroying the same, or introducing any other into the House of God, but conceive themselves bound both by vertue of the Institution and Commandment of God, and by vertue of the solemn Oath of both Covenants, and many tyes besides, to endeavour the preservation thereof in its purity and power unto the end of their lives, and that it may be continued in the House of God amongst their posterity and the generations that are to come; If after all this our Brethren will not believe, we know not what they can do, or what they are bound to do more to perswade them; but all this they have done already, and must therefore possess their souls in patience, and commit the cause unto God who knoweth their hearts and all the thoughts thereof afar off.

These things do haply prevail so far upon the apprehensions and thoughts of some, at least, of these Brethren, as to make them allow the protesting Brethren more charity than to think that they have changed their judgements concerning the Government, or, that they do entertain formal and direct intentions, and a stated design to subvert and destroy the same: We know that they have alwayes had that candid construction in the hearts of some of them, though they have just cause to complain of others, that no professions, nor protestations

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testations nor actions of theirs, could since our late
 differences, gain so much credit with them as to
 vindicate them from some stated design against the
 Government ; Or, if they have a testimony in
 their consciences to the contrary, yet they have
 judged it wisdom, and for the advantage of their
 cause, and weakning of their Brethren, by present-
 ing them in such a figure, to endeavour to make
 the Nation and the World believe that it is other-
 ways ; though we know nothing that they have
 gained thereby, unlesse it be to make themselves at
 last to believe what they would have had others to
 believe, and so in the end to make them run quite
 away from their old friends, as men to be scarred
 at : like children really afrighting themselves with
 the things which they devised to afright others.
 But let us come to that upon which they lay the
 streffe and weight of all these harsh constructions,
 to wit, their actings and irregular practices (as they
 are pleased to call them) being such as in their
 opinion are contrary to all order, and do clearly
 tend to the subversion of the Government. Of
 these they do reckon a great many, in their Repre-
 sentation published at *London*, which (as to that
 head (which yet taketh up a great part of that
 Book) is so fraughted with groundlesse alleagan-
 ces and grosse mis-representations (we shall ab-
 stain from our Brethrens word of foul slanders)
 of matters of fact (some of them feigned, and
 others reported with all the distortion that a pre-
 judiced mind can reach) that we do profess though
 proportionable and correspondent assertions and
 carriages in their Agent and his industrious sprea-
 ding of it, did make us conceive that it might be
 his,

his, yet untill now that they have owned it in a publick Declaration, we could hardly be perswaded that it was theirs. But we shall leave the full answering of these things to its proper place, and shall now only speak to those particulars that are shortly repeated in their Declaration. And in the entry, do desire our Brethren seriously to consider, whether they have done well by their departing from their former principles in order to the Malignant party, and hugging them in their arms, and bringing them into the Judicatories of State and Kirk, against a publick solemn Vow and Engagement, sworn by the whole Land to the Lord to the contrary; and by abusing the Government, and turning the edge both of Doctrine and of Discipline from off them, and against their Brethren and many of the Godly in the Nation, to tempt them to cast at the Government, and to fall upon means of defence that haply might have been prejudicial thereunto, We do professe we do judge it a special mercy to this whole Church, that these things have not prevailed upon the protesting Brethren, to the designing and doing of that really wherewith they are unjustly charged; and if God had not instructed them with a strong hand to the contrary, who knows but corruption meeting with great provocations and strong temptations, might have turned them aside to such unhappy purposes. It shall be our Brethrens wisdom, if they desire to preserve the Government, to improve it to edification, and for the comfort and encouraging of the Godly, and purging of the House of God, otherwise all their professing and pleading, and appearing for it will do but little to commend

commend it to men's consciences ; and if it have not a root there, it is not like long to subsist in outward professions.

The first particular is (as they call it) *The declining the Authority of the supream Church-Judicatories of this Nation once and again ;* They mean the Protestations against the two late pretended Assemblies at *S. Andrews*, and *Dundee*, and *Edinburgh*, in both which the Government of the Church by Presbyteries and Synods, National and Provincial is clearly asserted, and an honourable testimony given thereunto by the protesting Brethren, with distinct and full profession of their purpose and resolution to adhere thereunto ; Nor is there in any of these Protestations, nor in any thing of theirs that hath been written or published in defence thereof, one tittle that strikes against any thing that relateth to the intrinsecal constitution and being of the Government of the Kirk of *Scotland*, but all the reasons of the Protestations against those meetings, are upon the undue qualifications of, and prelimitations made by persons assuming the exercise of Government, with such other things as are altogether extrinseck to the Government it self: they have learned to distinguish betwixt the Government of the Church, and the male-administrations and Corruptions of the Church-Governors ; and not to condemn the one when they are necessarily called to give a testimony against the other ; Yea, the duty and care they owe to the preservation of the Government constraineth them to testify against the abusing and corrupting of it : So did our fathers of old, whose Protestations against corrupt National Church Assemblies are

upon record to this day, and so far have they been by men of sound judgments, from being judged because thereof to be against the Government, that they are honoured amongst the greatest patrons and preservers thereof. The protesting Brethren do not acknowledge these two Meetings to be any of the supream Church-Judicatories in this Nation, nor to have any Authority belonging unto them, but look upon them as unfree and corrupt Assemblies (for the reasons long ago published to the world) that have not upon them the stamp of any of the Courts of Jesus Christ; neither do they think that testifying against the corruptions of many of these that are now in the exercise of the Government of the Church, is to dissent from, or to do injury to the Government it self; And we cannot but say, whatever be our Brethren's intentions in studying some way to wrap up the Authority of these two Meetings, and of that part of the Ministerial Church which is of their judgment, as it were, in the very being of the Government (for this they seem to hint, though it be not directly spoke in that word of *the established Government and Judicatories of this Kirk*, which they set in the frontispiece, and carry along in their Paper) as if the Government could not be owned nor subsist, the Authority of these two Meetings being denied, and the corruptions of men discovered and acknowledged; We say, whatsoever they do herein to please themselves, and to amuse the ignorant, yet the protesting Brethren do not so judge, and the other by doing, so make more adversaries to the Government than there is just cause.

The second particular which they alleage, is,
Their

Their planting of Congregations in a tumultuous and disorderly way, without respect to the Judicatories of the Kirk, or to the just interest of the People of the Congregation, and counteracting to the resolutions and determinations of the Judicatories when any of them are pleased to be dissatisfied therewith. To carry on the great things of God that do concern the Kingdom of His Son Jesus Christ, and the eternal state of souls in a tumultuous and disorderly way, though there were no more, were a fault great enough; but to do it upon no better foundations than meer pleasure, and for no better ends, but for serving of our own lusts, were a very grievous and hatefull sin: But let us see what cause there is for this great charge; The resolution Brethren did by those Resolutions of theirs, taken in an occasional meeting of the Commissioners of the General Assembly (many of that number receiving either no advertisement, or else such as was out of time to keep the meeting in the year, 1651.) give their judgment and advice unto the State, concerning the capacity of the Malignant-party (who were before that time excluded from all Publick Trust in the Army, and in the Judicatories Civil and Ecclesiastick, and debarred from the Sacrament of the Lord's Supper, and from having hand in the Election of Ministers) in order to Civil Trust, and the matter being generally much stumbled at by the Godly in the Land, they did a little thereafter, whether for the allaying of that offence, or other considerations best known to themselves, suddenly, and contrary to Acts made by themselves, receive them to a shadow of publick repentance, or, to a mock-repentance; We may justly and with

grief of heart call it so, because God was thereby mocked, and sin and wrath increased; and though these Brethren may deny it, and love not to hear it, yet not only the Godly, but the Body of the Land are witnesses, and do bear record of it; yea, that party themselves are witnesses, and do make it the matter of their sporting to this day, by this semblance of repentance they were made capable of all Church-priviledges, and put in equal footing for calling of Ministers, and ruling in Congregations, with men of a blamelesse and christian conversation, and of known integrity and good affection to the work of Reformation; And when the diet of the General Assembly came, having first done what they could for incapacitating all Brethren of differing judgment from these Resolutions, to sit in the Assembly, by citing them to the Assembly as guilty persons, and excluding them from being elected Commissioners, where they could have power, they did not only ratifie these Resolutions, with all the proceedings of those Commissioners (who were authors thereof) relating thereunto, but did also make Acts, appointing and ordaining Censures against all persons in this Church, whether Ministers or Professors, that did not acknowledge the Authority, and submit to the Acts and Constitutions of that Assembly concerning those Resolutions, and barring all such Expectants from entrance to the Ministry as should not acknowledge that Authority, and submit to those Constitutions; And in their Assembly of the next year at *Edinburgh*, do provide and ordain Presbyteries to take special care, that upon the calling of any Expectant to a particular charge

charge of the Ministry, before they admit him to his tryals, they require him under his hand to passe from the Protestations and Declimators against this and the preceding General Assemblie, if he hath been accessory to the same ; And to promise and give assurance that he shal abstain from holding up debates and controversies about matters of differences in this Kirk since the Assembly, 1650. in preaching, writing, or otherwise ; upon the performance whereof, the Presbytery shall proceed to his trials ; If not, in that case the Presbyterie shall forbear to proceed, untill the next General Assembly ; leaving liberty to the Presbytery or Congregation for planting of the place otherwise : And, that Presbyteries shall require the same things fore-mentioned of every ruling Elder that cometh to sit and act in Presbyteries ; and, in case of his refusal, not admit him to act as an Elder in the Presbytery, but require the Kirk-Session from which he is sent to make choice of, and send another, who, for the peace of the Church, shall agree to perform the conditions required. By these proceedings and practices, the most unjust and irregular that we have known in this Church since we did begin to look at Reformation, in the year, 1638. and which were indeed the great cause of the distempers and distractions that have since followed, malignant and disaffected men in Congregations and Presbyteries have got up the head, and having the advantage of the Acts, already mentioned, they do make a bar thereof to shut the door against the calling of able and godly men to the work of the Ministry, who cannot bring their consciences in bondage to these things ; And do

labour every-where almost, to thrust-in others according to their own heart, notwithstanding of the dislike and dissent of many of the godly and well-affected, who are best able to judge ; or, if any such happen to be called, a stop is put to their trials and admission upon the same accompt ; or, if admitted, and received by the Presbytery, then refused to be acknowledged Ministers by the Synod ; And the intrudings of others upon their charges, allowed and confirmed. If in the midst of all these difficulties and straits, whereby they that love the Gospel are barred from the precious food of their souls, and have men thrust upon them who know not how to speak a word in season to a weary soul, nor to divide the Word aright, but do make glad the hearts of those whom God hath not made glad ; and make sad the hearts of those whom God hath not made sad : what wonder were it though the gaining or preserving of that which is more excellent and necessary, and for avoiding of a greater evil, should sometimes and in some cases, perswade unto a sinless preterition of some things, otherwise fit to be observed in the course of formality and order ; though yet the protesting Brethren have been tender even of these things, and have made conscience, as to do nothing evil and sinfull in it self, so to do nothing from contempt or disrespect to the least point of order ; yea, they have been carefull to keep within the bounds, warranted and allowed unto them of God ; And, if it be fit to compare, we may truly say, that for all the noise our Brethren make against them, for the violation of order, and taking irregular courses, they have been more carefull then themselves have been,

been, and that they have more just and weighty grievance against them, even upon this accompt, than they have against the protesting Brethren : Have not these Brethren, some of them, intruded both upon the people and charges of other able and godly Ministers already settled ? Have not others of them, being the smaller part, and sometimes a very small part of the Presbytery, separated and withdrawn themselves from the body and greater part thereof, because they were of the other judgment ? Have they not counteracted and been instrumentall to cause people in Congregations counteract to the Determinations and Sentences of their own Presbyteries and Synods ? Have they not in Synods violently taken things out of the hands of the Presbytery, when there was neither reference, nor appeal, nor male-administration ? Have they not refused to acknowledge Ministers for members of the Synod, or to suffer them to sit & vote among them, though called by the whole Congregation, and duly tryed and admitted by the Presbytery ? Have not some of their Synods taken upon them the power of a Gen. Assembly ? and other things of that kind which were tedious to collect and enumerate. They that teach others, would teach them own selves. And if they would have their Brethren to abhor Idols, they would not commit sacrilege. If they say, that there is a difference upon the matter betwixt that which is done by them, and done by the other : take the matter simply and without respect to their numbers, and we believe the protesting Brethren will be content to stand or fall by it : and if it be the plurality of the number only, we cannot accompt that, especially

in a time of corruption, a sufficient plea either for (f
condemning the one, or justifying the other. liv

The third thing wherewith they labour to make cr
out the designs and endeavours of the protesting cr
Brethren to subvert the Government, is, as they fo
are pleased to expresse it in the fourth page of their P
Declaration, *That they have cast many and foul re- T*
proaches upon them at home and abroad, both by word an
and writ, that so they might make them hatefull, and to
purchase credit and power to their own party, whereby ta
also they have endeavoured to render this National c
Church odious in the view of the world, and exposed n
her to be a laughing-stock to all her enemies, and fur- P
nished them with weapons (if (say they) their foul c
slanders deserve to have credit) whereby to fight against t
her, and justifie their opposition to her, when her own p
children bear such witnesse against her. And as they
expresse it in the fifth page of that Paper, *their*
branding Church-Officers and inferiour Judicatories,
as generally corrupt, that so all of them might be cast
loose, or at least moulded to their mind. If our Lord
and Master Jesus Christ had not forewarned us
herein, we should have wondred that the Brethren
for the publick Resolutions should see a mote in
their neighbours eye, and not consider the beam in
their own eye: Hath it not been their work at
home and abroad, in private and publick, in print
and writ, to cast foul reproaches and slanders up-
on the protesting Brethren? That one scurril
pamphlet, published under the name of *Uldericus*
Veridicus, (which had been better stiled *Falsidicus*)
may testifie of what spirit some of our Brethren
are, who knowing that the tongue of the poor man
the Author thereof would be no slander at home,
(so

for (so small was his credit in this Church when he lived) that now after his death they have sent his crazie discourses abroad in a Latin dresse , to gain credit to their cause amongst strangers in the Reformed Churches, and make the world believe the Protesters are men fanatick and abominable, like *Thomas Munster* or *John of Leyden* : But would any be at the pains to turn it into the Scottish tongue, it should not only prove a sufficient refutation of the manifold lyes and calumnies therein contained, but open the eyes of many, that they might perceive by what pillars that cause is supported. But it doth most grieve us that the Name of the Lord is so often taken in vain, by our Brethren's filling their preachings and prayers in the pulpit with such stufte as goeth abroad in others of their pamphlets ; whether it be for scarcicity of other purpose, or from the abundance of that humour predomining in their breasts, we shall not determine ; but sure we are, that thereby not only many hungry souls are disappointed of their food, but those Ordinances are rendred irksome even to many hearers of their own judgment , and the profaner sort are furnished with a common theam for the tavern. But to leave this, and answer that which is charged upon the Protesters. Our Brethren (as we conceive) do by these reproaches and slanders, and brandings, mean a Paper of the protesting Brethren, which holdeth forth the evidences of the growing defection in the Land, with another Paper that holdeth forth a corrupt party amongst the Ministry since the dayes of the Prelates , who, by the late publick Resolutions for bringing-in of the Malignant party, have got up
the

the head, and carry the vote and sway in many of the Judicatories of the Kirk; with some other Papers and Conferences of that kind, whereunto these Brethren have been necessarily drawn in their own defence: Concerning which we say, first, That if these things be indeed slanders and false of themselves, and have been coined and vented by the protesting Brethren for the ends alleaged, surely they are great transgressors, and wretched men, whom the resolution Brethren have at a mighty advantage, and if they can but a little wait and possess their souls with patience, God will clear their innocency, and discover the others malice against them, and their treachery against His Cause. But, secondly, if these things be no inventions of theirs, but have real and sad truth in the bottom, and have been vented by them, not out of malice against the persons, nor for rendring the Church odious, or subverting the Government, or any such sinistrous ends as these, but that, according to the Commandment of God, they may plead with their Mother, *Hos. 2. 2.* that free and faithful warning being given of her backsliding revolting condition, the sin might be repented of, and reformed by those who are guilty, and the danger avoided by those who desire to keep their garments pure; And that it might appear that they do not without just reason call and cry for purging of the House of God, that insufficient, and scandalous and corrupt men being removed from the exercise of Government, and the administration of holy things, the Government may be preserved and improved to edification, and the sons of *Levi* being purified and purged, they may offer unto

unto the Lord an offering in righteousness; and
 that the offerings of His people may be pleasing
 unto Him, as in the dayes of old, and as in former
 years: If (we say) there be truth at the bottom of
 these things, and if in speaking and writing there-
 of they have these good ends before them which
 they have professed, then may the Lord through
 His grace therein accept, and hear, and have compas-
 sion upon them and His people, by finding out the
 means to purge His House, though men will not
 hear, nor pitie, but accompt them foul slanderers
 and subtil subverters for discovering and com-
 plaining of these things. Thirdly, To the thing
 it self they have frequently acknowledged and tes-
 tified, that there is a precious Gospel-godly Mi-
 nistry in *Scotland*, which they do not confine to
 these of their own judgment only, but extend also
 to not a few of the Brethren of the other judgment
 also, though they dare not approve of their way,
 as to these late revolutions, and are much grieved
 in spirit, and judge it a matter to be lamented be-
 fore the Lord, that they should so far mistake their
 old friends (who strive, though in much weak-
 nesse, to keep the good old way wherein both were
 wont to walk for carrying-on of the work of Re-
 formation) as to accompt them the wasters and
 destroyers of the Lords Vine, and become so kind-
 ly companions and patrons to men of another
 stamp that they judge themselves wounded if their
 sore be touched. But, fourthly, Are the pro-
 testing Brethren in fault, if they have often be-
 moaned it before God, and complained of it unto
 men (both to our Brethren and others) when cal-
 led thereunto, that there be a great many ignorant
 insuffi-

insufficient and corrupt scandalous Ministers and Elders, wherewith the Judicatories of the Kirk at many places of the Land are pestered, and was either do little or nothing to edification, or hurt too much to destruction? We shall not for proof of this, repeat in this place those evidences of groaning defecti- on, the truth of which is but too palpable, and can be attested by many sufficient witnesses. But we would desire our Brethren (and others if they shall slight it) seriously to consider these feble things, 1. That this Church was but a few years before these publick Resolutions recovered from under the tyranny and corruptions of the Prelates and their adherents, under which she had groaned and languished for the space of about forty years by reason whereof, though a remnant was preserved through grace, yet the body of the Ministry was become either insufficient, as to their gifts, or corrupt in their judgment, or scandalous in their conversation. 2. That it was oftentimes after the Reformation begun in the year, 1638. not only by godly men in private, but publickly by our General Assemblies in their publick Warnings and Declarations, and Causes of Humiliation, acknowledged, that though there was an external forsaking of the prelatical way, and engaging in the Covenant, Yet that the sin of former defecti- on and backsliding was by many still unrepented of, that many did still remain either neutral and cold, or backward and ill-affected to the work of God. 3. That the General Assemblies in the progresse of Reformation did begin to be so sensible of the multitude of insufficient and scandalous men that did still remain in Presbyteries and Synods,

ers ods, that they did judge Presbyteries and Synods
 Kirk not able to purge themselves, and that therefore it
 was necessary to give Commission to some select
 Brethren, nominated by themselves, for visiting the
 bounds of Presbyteries and Synods, with power to
 these Brethren to try and censure such Ministers
 and Elders as they found insufficient or scanda-
 lous. 4. That these Brethren found so much work
 in many places of the Country as they were not
 able soon to overtake, but after the continuing of
 their diligence by renewed Commissions for two
 or three years space, the General Assembly, upon
 the report of what was yet to do in places that
 had only been in part visited, and in consideration
 of the condition of other places, not yet visited, did
 find it necessary to appoint select persons, nomi-
 nated by themselves, for visiting most of the Pres-
 byteries and Synods in the Country, with power
 to try and censure, as aforesaid. 5. That those
 almost general visitations of the whole Land, al-
 beit judged most necessary for purging of the Kirk
 of the multitude of corrupt or insufficient men,
 whom Presbyteries and Synods were either not
 able, or not willing to censure, was never kept, be-
 cause of the War immediatly following betwixt
 the two Nations. 6. That few or none have since
 that time been purged-out by Presbyteries and Sy-
 nods, the zeal that was formerly in good men
 amongst them being in a great measure cooled in
 those who do adhere to the publick Resolutions,
 and the endeavours of these who differ from them,
 being opposed and rendred ineffectual by men of
 another spirit, who have got up the head in the
 Judicatories of the Kirk, and have turned the
 stream

stream of their publick actings into another charnel
 nell, to wit, against those whom they call dissent-
 ing Brethren. 7. That a great many of these Min-
 isters, who were formerly purged-out for their
 profanity and malignancy, are again taken into
 the Ministry without sufficient evidences of their
 repentance, and have now no small hand in the
 governing of things in sundry Presbyteries and
 Synods: we know their repentance is talked of
 but we do as well know that it is but a meer talk
 some of them having made no acknowledg-
 ment at all of any of the offences for which they were
 deposed; others of them not having acknowledged
 all the particulars contained in their Sentence
 and most of them either prevaricating or extenuat-
 ing in the matter of their acknowledgments, and
 continuing to be what they were: Sundry godly
 Brethren of the publick judgment bemoan with us
 the taking-in of such, and in such a way; and do
 not themselves professe to be what they were? we
 dare appeal themselves, and others who best know
 them, whether they did judge themselves justly
 deposed, and have really repented of, and changed
 their way, as to the things for which they were de-
 posed. 8. That there is an universal groaning
 and sad complaint of the godly generally through-
 out the Land, of the insufficiency and negligence,
 and of scandalous and malignant corrupt carriage
 of many Ministers throughout the Land, and of the
 proceedings of many Presbyteries and Synods, that
 these seven or eight years past they have done little
 or nothing to edification and for promoting of the
 Kingdom of Jesus Christ, and the power of god-
 liness, Do they not generally bewail it, that the
 meetings

meetings of many of the Judicatories of the Kirk
 are for most part rather matter of grievance and
 terror unto them, than matter of comfort and re-
 joicing? And if we shall set over against this, that
 in universal testimony that is given by the multitude
 of scandalous and disaffected malignant men in
 the Land, to the Ministers of the publick judgment
 and to the most of Presbyteries and Synods of
 that way in most of their actings, Doth it not say
 that there is prevailing corruption and defection
 in the Church, and in her Judicatories? What
 a strange change is it, that profane malignant men
 in the Land, who were known opposers and haters
 of Godliness and of the work of Reformation, and
 of the Discipline and Government of the Kirk,
 and to whom the name of the Kirk was wont to
 be hatefull and odious, and her Judicatories ter-
 rible as an Army with Banners, that now their
 ordinary plea should be, the Kirk of *Scotland*, and
 the General Assembly, and the Presbyterie, and
 the Synod, and such and such Ministers, And that
 the Godly in the Land should be filled with sor-
 row, and put to open shame, whilst through the
 prevailing corruptions and backslidings of men,
 advantage is given to adversaries to fight against
 them with the weapons that were appointed unto
 them of God for their defence and comfort, and
 for bearing down of the profane and ungodly.

The fourth thing, whence they labour to con-
 clude the protesting Brethren adversaries unto,
 and projecters against the Government of the
 Church, is, as they represent it in the fifth page of
 their Declaration; *That they did break up the Con-*
ference for Union with them in November, 1655.
chiefly

chiefly upon this accompt, That they could not denude the Judicatories of the Church of their just power, and devolve matters into the hands of an extrajudicial Committee of equal numbers. Which point they resumed again and prosecute at length in the sixth and seventh pages of that Paper, setting down the words of the protesting Brethren their Overture thereanent in a distinct character, and labouring to hold forth the absurdity thereof from several considerations.

Whether the Conference for Union in November 1655. was broak either by them, or, chiefly upon this accompt (though we have reason to gainsay yet) we shall not now, nor is it needfull to stand to debate, but that this Overture will conclude them to be adversaries unto, or projecters against the Government, that we do altogether deny : Nor do any of these things, alleaged by our Brethren, prove it. It were tedious and little to edification of the Readers, to give a particular distinct Answer to the heaps of aggravations and bad consequences they load this Overture with; therefore we do offer unto our Brethren's more sober and serious, or (if they do not judge them worthy of their entertainment) unto the sober and serious thoughts of others these few considerations, for vindicating this Overture from all those mistakes our Brethren have about it. 1. That there is a difference betwixt a sound or a healthfull growing reforming, and an unsound sickly decaying declining state of a Church. 2. That there is a difference betwixt a troubled distempered, and a quiet peaceable state of a Church. If our Church were altogether sound and healthfull, if in a growing, reforming

forming condition, if in a peaceable and well-tempered state, there would be no need of any such overture ; And we believe the protesting Brethren would be in that case as far from pressing it as any other : but her sickly, decaying, declining, troubled, distempered condition doth necessarily call for, and allow for something of that kind. 2. The General Assemblies (as we have already shewed) did conceive extraordinary Commissions and Visitations to be needfull, when the Church was in a much better condition than she is now ; And though not a few in Presbyteries and Synods did then speak the same language that our Brethren do now, to wit, that it did lay a foundation for an universal imputation upon the Synods and other Church-Judicatories as not worthy to be trusted with the work committed to them by Christ, and was a tyrannical imposition upon them ; Yet that did not hinder the Assembly so to do, because they did see that such a way of Commissions and Visitations was necessary for the time, when Presbyteries and Synods (many of them) were either not able, or not willing to do that duty in order to the purging of the Church of corrupt officers. 3. That there is a difference betwixt the essentials and circumstantials of Presbyterian Government ; the one being such as are of divine or scriptural institution, and in themselves unalterable ; the other being such as are of positive humane institution, which are to be regulated by that great end of edification, and therefore may be altered accordingly as they do or do not contribute for that end. It is observable that the resolution Brethren in this and sundry other of their Papers, do in many of these chal-
lenges

lenges which they bring against the protesting
 Brethren, (as proceeding in their planting of
 Churches, and ordaining and admitting of Mini-
 sters, and propounding of Overtures for purging
 and planting the Church in such a disorderly way
 as is destructive to the being of the Government.
 We say, they do confound these things, and often-
 times take circumstantial for essentials : As for
 instance, That a Minister shall be ordained by a
 plurality of Presbyters, we hold with them to be
 of scriptural divine institution, but that he be or-
 dained by such a number, officiating in such
 bounds, the Scripture hath not determined ; And
 therefore, if the major part of a Presbyterie con-
 spire for keeping out a godly man from the Mini-
 stery, that is lawfully called by the Congregation
 and rightly qualified, because he is not of their
 judgment in declining courses, its no breach up-
 on the being and essentials of the Government, if
 he receive his Ordination and Admission to the
 Ministry from a neighbouring Presbyterie, espe-
 cially when this conspiracy is generally through-
 out the Country, and no remedy thereof can be
 had by a superiour Judicatory : So in the case of
 the Overture in hand, though because of the pre-
 sent condition of Synods, and for edification, there
 be a little alteration of some-things from the com-
 mon way of order, yet doth it not involve any
 thing destructive to the being of the Government ;
 No persons are desired to be upon these Visitation
 but Ministers and Elders duly qualified, and mem-
 bers of the respective Synods ; No power is de-
 sired to be given, but that which is properly Ec-
 clesiastical ; Nor is it desired to be derived from
 any

any fountain, but from the Synod it self; Nor to proceed by any rule but by the Word of God, and the Acts of uncontroverted General Assemblies; Nor are they to exercise it independantly, but with subordination unto, and being accomprable to the Synod from whence they do receive it: All which will be evident to any that shall impartially consider the Overture it self. And to put it above question, there is expresse mention of their qualification, and power, and commission, and subordination, and the rule by which they are to proceed in the Overture, the same for substance as it was propounded to our Brethren in the Conference at *Edinburgh*, *Novemb. 8. and 27. 1655.* Whence it appeareth that our Brethren speak more passion than reason, when they say, It is a tyrannical imposition upon Synods, that they must give their power to persons whom they have not liberty to choose, nor power to call them to an accompt, and must set up a Jurisdiction above themselves, with at least a negative voice, to frustrate all their actings, if these Delegates please. Is it tyrannically to impose, to desire the Synod for the better and more unanimous carrying-on the Work of God, to ratifie the Nomination of some of the choicest of their own members, made by no forin-sick persons, or party, or power, but by the intrinsic members of the Synod it self, and that in such a distracted condition of the Church, And that they are not comprable, is alleaged *gratis*. The Article, as propounded to our Brethren, doth expressly provide, that these Committees shall in their proceedings be comprable to the Synods, nor doth that clause of the Synods not reversing any thing

done by these Committees, without the previous advice and consent of the general Committee of Delegates, import any thing to the contrary, but that the Synod may take an accompt of the proceedings of their own Committee, and admonish and rebuke them; yea, and take away their Commission and Power, in the case of male-administration, and give it to others of their number, nominated as aforesaid: And for a Jurisdiction by this means set up above themselves, we can see no such thing in the Overture, but only a power of advice upon the part of these Delegates (which yet the Synod are not simply tyed by the Overture to follow, as in the case of their advising the Synod to reverse the deeds of these Committees) and a brotherly condescension in the Synods in the present condition of the Church, not to reverse things done by these Committees without the advice and consent of these Delegates. Neither will our Brethren's negative voice prove it; because as these Delegates have not a negative voice in all cases, as we have already shewed, to wit, in the case of ratifying of the proceedings of these Committees, the Synod being free, notwithstanding any thing in the Overture to ratifie, albeit the Delegates should not consent, but advise otherwise; So it is a new device to say, that a negative voice inferreth a superiour jurisdiction and power; for, at most it maketh but a co-ordinate power: And that there is any absurdity in this, That a Committee of Delegates, nominated by the common consent of all the Synods, should, in this condition of the Church, have such a power (if yet it be a power of Jurisdiction) we do not see. 4. This Over-

Overture was not propounded as a perpetuall standing way, alwayes to be followed and kept up in the Church, as our Brethren are pleased to insinuate, much lesse was it propounded hereby to lay a way for perpetuating of differences and contentions (a prejudice also they are pleased to load it with) but, as it expressly beareth, to continue only till the present differences be healed, or, till the Lord in providence minister some better way for settling peace amongst us. Will the resolution Brethren in this present sickly declining and distracted condition of the Church, allow of no remedy for purging thereof, and composing differences, that is in any circumstance out of the common road of the ordinary procedures of Presbyteries and Synods ? We know that they will tell us that the Church is sound and healthy; and sufficiently able by Presbyteries and Synods to purge her self. But why then (we pray our Brethren to tell us) did the General Assembly, before these differences did arise, unanimously, judge that Presbyteries and Synods were not sufficiently able to do it, and did, upon conviction hereof, appoint extraordinary Commissions and Visitations for doing of it ? If our Brethren say, That the Gen. Assembly is the supream Church- Judicatorie in the Nation, and therefore may so do. They can easily answer themselves, That the question is of the moving cause; or, the ground or reason upon which they did it, it was not to shew their Supremacy and Authority, which was not questioned nor controverted by any Synod or Presbyterie; but (as our Brethren well know) because they did conceive and were convinced, that Presbyteries

and Synods were not so healthy as to do these duties of themselves ; and if they were not so then when neutral, and malignant, and disaffected men were under board, how much lesse now, when all of them are got above the hatches, and sundry of them are set to stir the rudder ? Or, if they will say, That Presbyteries and Synods are now sufficiently able and willing of themselves to do the work. We pray them then to tell us why it is not done ? Have not most of the Godly of the Land been crying upon them these seven years by-gone, that they would arise and be doing that good and necessary work ? and yet what have all their cries prevailed ? are they not heard with deaf ears ? What wonder is it then though the protesting Brethren do propound such Overtures, as, being imbraced, might probably in some measure satisfy somewhat of the lawfull and just desires of the Godly in that soul-concerning matter, in propounding whereof, their design is none of those finistrous things that are cast upon them by their Brethren ; but, that by some mean or another that is not sinfull, the House of God might be purged ; And therefore, that it might appear to their Brethren that it was not domination, nor the setting up of themselves, and the treading down of the other, that they were seeking, they were content not to exercise the power given by the Commissions of the Assembly, 1650. which in their judgment (because no lawful General Assembly hath since interveened) is still in force, and did propound unto them in that meeting at *Edinburgh*, that for making of the work of purging effectual, and in order to other publick affairs of the Church, that

that those persons who were nominated upon the
 Commission and Visitations by the Assembly,
 1650. might sit ; if not by the Authority derived
 from that Assembly, yet by the mutual condescen-
 dence and approbation of Presbyteries, and by
 the same mutual condescendence and approbation
 these persons might have power to compose the
 particular differences that are now, or shall be
 hereafter in particular Presbyteries and Congre-
 gations ; this was not to assume the particular no-
 mination of any person to themselves, or to state
 businesse upon difference of judgment, or to make
 any thing like a party or a faction, or to desire an
 equality of the number of both judgments, or to
 do any injury unto, or make any incroachment
 upon the due right of Presbyteries and Synods,
 (unlesse we will say, that the General Assembly
 wronged them by appointing those Commissions
 and Visitations) yet was this also refused and re-
 jected by our Brethren : Whence it appears, that
 nothing will please, unlesse the protesting Brethren
 condescend, as Asses, to bow down under the bur-
 den by an absolute submission to Presbyteries and
 Synods, as now constituted (that is, upon the mat-
 ter to the Brethren for the publick Resolutions, the
 protesting Brethren being, by their own verdict, a
 few number in comparison of the Body of the Mi-
 nistry of this Church) in their present and future
 actings, how negligent or corrupt soever, which
 themselves make evident in the next thing where-
 upon they impeach them, as projecters against,
 and subverters of the Government of the Church,
 to wit, their refusing to engage themselves to an
 absolute submission to the sentences of the Church-
 Judicatories.

They

They did (say they (towards the end of the fifth
 page of their Declaration) expressly refuse subordi-
 nation and submission to the Church-Judicatories, to
 which they and we were solemnly engaged at our ad-
 mission to the Ministry, and which we were willing
 to renew for our parts; and without which our esta-
 blished Judicatories shall be nothing else but so many
 consultative meetings; a principle inconsistent with pres-
 byterial Government. In speaking to this particular
 we shall first shortly repeat the sum of the pro-
 testing Brethren their Desires, and Offers, and An-
 swers thereanent, in the Conference at Edinburgh,
 Novemb. 1655. And, in the next place, shall speak
 somewhat to the matter it self. As to the first. In
 so far as concerneth Presbyterial Government, and
 the due subordination of Church-Judicatories, that
 they might testifie their approbation thereof, and
 that they did continue constant in their former so-
 lemn publick Professions and Engagements, they
 did propound unto their Brethren, *That in matters
 concerning the Doctrine, Worship, Government and
 Discipline of this Church, and the Enemies of Truth
 and Godlinesse, and the work of Reformation, there may
 be mutual evidence and assurance given for adherence
 unto these Articles of our Covenants, and the solemn
 publick Confession of Sins and Engagement unto Du-
 ties, and all the Acts of uncontroverted Assemblies re-
 lating thereunto, in the literal and genuine meaning
 thereof:* By which, we hope, that unlesse they be
 taken for grosse dissemblers, it doth manifestly
 appear that they are willing to fix themselves, and
 desirous also to have their Brethren (who gave but
 a shie answer in this particular) also fixed in the
 matter of the Government of the Church. But,
 secondly,

secondly, our Brethren, having in that Conference overtured, *That all the members of this Kirk, Ministers and People, shall submit themselves to their Presbyteries and Synods respectively: And if any be grieved with the Determination of Presbyteries, they may appeal to the Synods: And if any be grieved with the Determination of a Synod, they may appeal to a General Assembly; but that in the mean time the Sentences of Presbyteries and Synods are to be acquiesced unto, until the Determination of the respective supream Judicatories thereupon.* The protesting Brethren did quere upon this Article, *Whether the submission and acquiescence required in the same, doth import a submission and acquiescence in every person, in all cases, even when the plurality of a Kirk-Judicatory doth act contrary to the Word of God, and imploy their power to destruction and not to edification, and their Determinations doth necessarily infer present detriment to the Church; and finding that by their Answers they did upon the matter require an absolute and unlimited submission to the Sentences of the Church-Judicatories whether just or unjust; They did declare unto them, That as they did not willingly desire to enter in any debate anent that matter, conceiving it unexpedient to start and debate such questions at that time, or to make any Declarations thereanent; So they did conceive that such a submission hath not hithertils been required, nor could warrantably be yeelded in such a way as it was then required, especially there being to their sense and apprehension so much corruption in the plurality of Presbyteries and Synods, whereof they professed themselves willing and ready to give the evidences. And afterwards, That they did not differ*
with

with their Brethren about what was cited by them in that Conference, from the Acts of the General Assemblies of this Kirk concerning subordination and submission, particularly from the Act of the General Assembly, 1647. concerning the hundred and eleven Propositions, and in the seventh head of doctrine therein contained; but that they did not see how that which is required by them, is no other than that which is established by the General Assemblies of this Kirk; because they require such a Declaration of subjection and submission to the Sentences of the Judicatories of this Kirk, as hath not hithertils been established by the uncontroverted Assemblies thereof, to wit, that which doth import a like submission to sentences whether just or unjust, or of corrupt or uncorrupt Judicatories, and doth exclude Declinors and contrary actings in every case, which could not but probably put the People of God in a worse condition than they were before; because it would take away from them the use of lawfull remedies, and is contrary to the practice of the Apostle in the fourth and fifth of the Acts, and to the practice of our forefathers in the time of former defections.

But because this point is of importance, and stateth the Brethren for the Protestation in the apprehensions of the more rigid of the Resolutioners, as adversaries to the very essence and being of Presbyterial Government; therefore it is necessary, in order to their vindication, to speak more fully to it. The Question (so far as we can understand them in it) is, Whether such a submission be due from all the members of this Kirk, Ministers and People, to the Judicatories of the Kirk, and from the inferiour to the superiour Kirk-Judicatories in matters of Government and Discipline,

pline, as ought upon the sentence (whether just or unjust) of these Judicatories to sist the proceedings of the person or party grieved therewith, and make them aquiesce thereunto, untill the determination of the respective superiour Judicatory therein, without any counteracting to the same, unlesse it be to appeal unto, and follow their appeal before the superiour Judicatory? Upon this Question we find the Brethren for the Protestation in their last Paper at the Conference Novemb. 25. 1655. expressing their judgment thus; *We are willing to subject our selves to all the just sentences of the lawfull Assemblies of this Kirk; and if the case were only of a few particular persons, in things of more private interest and personal concernment, and of Judicatories imploying their power to edification in the current of their actings, we should not much contend about it; but when it is of a great number of godly Ministers and Elders and Professors throughout the Land, who do desire to stand in the breach, and to oppose the present course of defection, and of Judicatories, the plurality whereof in many places do not act unto edification and for promoting the power of godliness, but to the contrary, it altereth the case. The resolution Brethren without admitting these qualifications and restrictions upon the sentences, or the persons sentenced and the grounds of their censure, and without acknowledging any corruption in the Church-Judicatories, are for the affirmative of the Question, to wit, subjection and submission to all the sentences of the respective Kirk-Judicatories, just or unjust, by all the members of this Kirk, Ministers and Professors, without any counteracting, unlesse it be to appeal unto,*
and

and prosecute their appeal before the superior Judicatorie, as is evident from their Overture propounded unto the protesting Brethren, June 1655. and from the Papers that passed betwix them thereupon in the Conference at *Edinburgh* from November 8. till Novemb. 29. 1655. and from their late Representation, pag. 39. sect. 43. and pag. 47. sect. 53. and from this present Declaration. But let us examine their Reasons. Their first Reason, is, That such a submission is of the very essence and being of Presbyterial Government. Our Brethren (say they) do strike at the very being of Presbyterial Government, &c. Represent. pag. 39. sect. 2. And again, they declined also to engage themselves to that submission to the Government, and to observe that subordination of persons and Judicatories in matters of discipline, which we were willing should be mutual; And albeit we required nothing but what is essential to Presbyterial Government--Yet they did wholly decline it, Represent. pag. 47. sect. 3. And in the fifth page of their present Declaration, They expressly refused subordination and submission to the Church-Judicatories, to which we and they were solemnly engaged at our admission to the Ministry, and which we were willing to renew for our parts, and without which our established Judicatories would be nothing but consultative meetings; a principle inconsistent with Presbyterial Government in a constituted Church. *Ans.* It is to us, and we believe will be to all sober and unbyassed men, who understand the principles of Church-government, new and strange doctrine, That an absolute and unlimited subjection to all sentences (whether just or unjust, or agreeable or repugnant to the Word of God

God) should be asserted to be at all of kin or alliance to the divine Ordinance of Presbyterial Government, which is a part of the sweet and gentle yoke of Jesus Christ, that is far from tyranny and oppression. The man who in a raving fit of a notional spirit first preached, and afterward printed those shrewd comparisons betwixt the *Northern Presbyterie* and the *Roman Papacie*, may haply think himself now justified, when he heareth so great pretenders to that Government minister by this new doctrine of theirs such ground for some parts of that comparison. If Presbyterial Government hath (as we do believe and assert it to have) its foundation in the Testament of Jesus Christ, upon whose shoulder the Government is, then whatsoever is of the essence and being thereof, must derive it self from the fountain of Christ's revealed Will about the Constitution and Essentials of that Government? But we know no tittle in his Book that saith as our Brethren say, or from which, what they say in this matter, can be deduced by good and necessary consequence, to wit, that it is essential to the Government which He hath appointed His House to be ruled by, that all the Children of the House should submit unto, and acquiesce in the Determination of the Governors, without any counteracting, though their Sentence be contrary to the Law and the Testimony; and therefore till our Brethren prove this they will give us leave to deny it. We acknowledge that power and authority, and subjection, and submission are co-relatives, and that the power and authority of the superiour can no more actually subsist without the subjection and submission of
the

the inferiour, than one relative can subsist without its co-relative: But all Church-power and authority is bounded by the Word of God, and is for edification only; And therefore all the subjection that is due thereunto, is in the Lord only; And when we are thus subject, the power and authority is sufficiently acknowledged and preserved. But, say our Brethren, without this submission, which they plead for, our established Judicatories would be nothing but consultative meetings. But this we also deny; because what is resolved and determined by Kirk-Judicatories in a right way, doth not only bind by vertue of the intrinsecal lawfulness thereof, it being for matter, God's Word, and by vertue of the reverence that is due to the gifts and endowments of brethren and friends counselling right things, which is all that can be attributed to a consultative meeting, but also by vertue of a positive Law of God, by which He hath commanded us to hear the Church, and those that sit in *Moses* Chair, and to be subject in the Lord to Church-Governours, to whom He hath given a Ministerial and Official Authority and Power to assemble in His Name in the respective Courts appointed by Himself for governing His House according to the rule of His Word; And therefore as they have Authority or a superiority of Jurisdiction, which no consultative meeting hath; So whosoever resisteth their power, when put forth to edification, and not to destruction, doth not only sin, by despising that Word of God which is the matter of their Decree, and by despising the gifts and graces of their Brethren that are exercised in holding forth light unto them, but doth

doth also sin, by resisting the Ordinance of God :
A Kirk-judicatory modelled according to the pattern shewed in the Mount, and cloathed with Authority from Jesus Christ, and proceeding according to the Law and to the Testimony, to which they ought to be subject, God having commanded us so to do.

Their second Reason is, That without this submission and subordination *they do not see how Unity and Order can be continued in the Kirk, It being in vain to think of a remedy by superiour Judicatories without this, the refusing thereof being the way to make all Union void :* So in their Answer to the Queries propounded upon their Overtures, Novemb. 16: 1655. And in their Represent. pag. 39. sect. 4. and pag. 47. sect. 3. *Answ.* This is the very argument and language of the Advocates of the Sea of Rome, whilst they plead the Popes visible headship and irrefragable authority and jurisdiction over the Church, to which all ought to submit without gainsaying, or counteracting, the very thing that hath set up the Man of sin, to sit as God in the Temple of God, unto the enslaving both of the Word of God and the consciences of men, by requiring of them subjection and blind obedience to his dictates, without examining the same according to the light of the Word. If, according to the revealed Will of God, there ought to be such a submission in all cases, without counteracting, What shall we say of the practices of the Prophets and Apostles, and others of the Servants of God who have lived before us in corrupt times? must all their preachings and other actings, though most agreeable to the Word of God, be condemned,

ned, because they were contrary to the determinations of the Church wherein they lived? They were indeed to set up a power over the Word of God, a power for destruction and not for edification, That would indeed make a sinfull unity and order, and teach a way to avoid persecution, and readily to obtain peace with men, but with the losse of Truth and a good conscience. The way to preserve Unity and Order in the House of God is, not to hearken to the counsels of flesh and bloud, by setting up the will of man for a Law and establishing an arbitrary and tyrannical power over consciences, to which they shall be tryed to submit to iniquity and injustice; for, God hath said, that the throne of iniquity that frameth mischief into a law shall have no fellowship with Him; And therefore that may destroy Unity and Order, it will not preserve it. But to let the Word of God (which is both the rule and bond of Unity and Order) have place, Gal. 6. 16. and Judicatories proceeding according to this, is an effectual remedy *actu primo* and *objective*, as in every Ordinance of Christ; albeit *actu secundo* there is no efficacious remedy in either Word, Sacraments, Admonitions, Suspension, Deposition, Excommunications, Presbyteries, Synods, or any Ordinance the Church doth enjoy or can exercise without the effectual blessing and influence of the Spirit of God, who is the author and appointer of these, and concurreth therewith upon the consciences of men according to the pleasure of His own will. Shall persons sentenced unjustly, submit? Yes, say our Brethren, for preserving Unity and Order. What remedy then, say we, for preserving the

the Truth ? They may appeal, say they. But, say we, they have appealed, and have therein succumbed. What remedy now ? No remedy, but that at one stroke the precious Truths of God, and interests of Jesus Christ must be born down and buried in oblivion ; And the Saints and Ministers of the Gospel be buried under the rubbish thereof, because one Assembly will have it so. But say our Brethren, how shall Unity and Order otherways be preserved in the Church of God ? We Answer, Very well ; because if the Sentence be unjust, it ought to be recognized and repealed : If it be just, and of an inferiour nature ; If the persons will not submit, they are, after due procedure, to be cast out, as those that will not hear the Church, and so both Unity and Purity, both Order and Truth are preserved. Will our Brethren under a pretext of Order, destroy Christian-liberty, and bring-in Popish-tyranny ? It is Christ's Order and the King of Saints Peace, that every Believer have the judgment of discretion, whether the Judicatories of the Kirk speak according to the Scriptures, or whether they ought to obey or submit, or gainsay or counteract, and what Christ hath given them, no man can take from them.

Their third Argument, is taken from the judgment and practice of this, and other Churches, which (as they affirm) plead for this subordination and submission, required by them in their Answer to the Queries of the 16. of November, 1655. they say, *That this submission hath been established by the General Assemblies, especially by the Assembly in Anno 1648. sess. 30. and practised by the General Assembly, 1646. in the case of Mr. James Morison*

and the Presbyterie of Kirkwall; And that it hath been the constant practice of all the Judicatories and members of this Kirk, ever since the late Reformation, untill our present differences did arise. And in their Paper of the 24. of Novemb. 1655. they do cite for proving of this submission, the Act of the General Assembly, 1647. concerning the hundred and eleven Propositions, and the seventh head of doctrine therein contained. And in the 39. page and 43. section of their Representation, they are so confident as to tell the Brethren for the Protestation, that their practice in matters of Discipline and Government was never heard of in this Church, nor we believe (say they) in any Church where the Officers and constitution thereof were acknowledged to be agreeable to the Word of God; but what-ever the superiour Judicatories might do as they would be answerable notwithstanding an appeal, yet the appealer and inferiour did alwayes submit and sist their proceedings till their cause was heard and tried. And to confirm all this, in the fifth page of their Declaration, they tell us, that both themselves and the protesting Brethren were solemnly engaged to this submission at their admission to the Ministry. As to the judgment of our Church and of her General Assemblies, we do deny that ever they were of this judgment, or have declared any such thing; but upon the contrary, let the Confession of Faith, presented unto the Parliament, and ratified by them in the year, 1567. bear witness, Artic. 21. concerning the power and authority of Councils lawfully gathered; the words are these, So far as the Council proveth the Determination and Commandment that it giveth by the plain Word of God, so soon do we reverence and imbrace the same:

But if men, under the name of a Council, pretend to forge unto us new Articles of our Faith, or to make constitutions repugning to the Word of God, then utterly we must refuse the same, as the doctrine of devils, which draweth our souls from the voice of our only God, to follow the doctrines and constitutions of men. In the beginning of the Reformation, 1562. It is concluded by the whole Ministry, in the Assembly held that year, sess. 2. *That Ministers shall be subject in all lawfull admonitions, as is prescribed in the Book of Discipline.* Likewise, it is provided in the Articles agreed upon by the Gen. Assembly held at Edinburgh, in March, 1570. sess. 2. concerning the Jurisdiction of the Kirk, *That the suspension and deprivation of Ministers and others, admitted to functions in the Kirk, charge of souls, &c. shall be for lawfull causes.* In the Book of Discipline, agreed upon in divers preceding General Assemblies, and recorded in the year, 1581. by order of the Assembly, held in April, sess. 9. to the defence of which Discipline the King and Subjects of all ranks did then subscribe and swear; which was also renewed in the year, 1638. It is expressly declared, chap. 7. concerning Elderships, Assemblies, and Discipline, *That Office-bearers are to be deposed for good and just causes deserving deprivation.* If it were needfull, we could cite more of this kind: We shall only adde other two testimonies from very late Assemblies of this Kirk. The Assembly convened at S. Andrews, in Anno 1642. sess. 8. in the Overture for transplantation of Ministers, do declare, *That no Presbyterie or Assembly should passe a sentence for transportation of any Minister, till they give reasons for the expediency of the same, both to*

him and his Congregation, and to the Presbyterie whereof he is a member; That if they acquiesce to the reasons given, it is so much the better; if they do not acquiesce, yet the Presbyterie, or Assemblie, by giving such reasons before the passing of their sentence, shall make it manifest that what they do, is not *pro arbitratu vel imperio* only, but upon grounds of reason. And the Assembly convened at Edinburgh, in Anno 1647. in their brotherly exhortation to their Brethren of England, do declare as followeth; We would not (say they) have our zeal for Presbyteriall Government misunderstood, as if it tended to any rigour or domineering over the flock, or to binder and exclude that instructing in meeknesse, them that oppose themselves, which the apostolicall rule holdeth forth; or, as if we would have any such to be entrusted with that Government, as are found not yet purged, either from their old profanenesse, or from the prelatical principles and practices: which were to put a piece of new cloath into an old garment, & so to make the rent worse; or to put new wine into old bottles, & so to lose both wine and bottles. From these passages, impartially considered, it is manifest, that the General Assemblies have judged, that as it is rigor and a domineering over the Lord's flock, for the Judicatories of the Kirk to determine, or do any thing *pro arbitratu vel imperio*, or without giving a reason thereof from the Word; so when they do thus determine and judge, there is no reason to submit thereunto, or acquiesce therein. As to what is cited by our Brethren, from the Act of the General Assembly, in Anno, 1648. sess. 30. We answer, That though the word, *justly*, be not expressed in the letter of the Act, that being amongst the *præcognita* or *præsupposita*

sita of all those that do make or require obedience to Laws, that they make and mean of just Laws ; yet it is evident that it speaketh of those Ministers, who being justly suspended, or deposed from the function of the Ministry, shall continue in the exercise of their Ministry, or intromet with the stipends belonging to those Kirks they served at, as doth appear from the passages before cited. If our Brethren will not admit this glosse, then surely the meaning must be this ; Whatsoever Minister justly, or unjustly and contrary to the rule of the Word of God, suspended or deposed from his Ministry, shall continue to preach the Gospel, or to intromet with his stipend, We, the General Assembly of the Kirk of *Scotland*, do appoint, that because of his disobedience to our Sentence, whether just or unjust, he shall be excommunicated and cast out of the Church : But as we abhor to fasten such a meaning upon that reverend and grave Assembly, So we desire to think that our Brethren, upon sober and serious thoughts, will abhor it also, and will acknowledge with us, that it is to be understood of just Sentences only ; and if so, we do willingly acknowledge and profess, that who so, being justly suspended or deposed from the function of the Ministry, doth continue in the exercise thereof, doth deserve to be proccessed with Excommunication. What was practised by the General Assembly, 1646. in the case of Mr. *James Morison*, because we have not the Records of that Assembly concerning that matter, we will not take upon us to speak positively to their Determination, what it was, or to the reasons thereof, in that particular, it being a matter of fact done long ago, and cloa-

thed with many circumstances, some of which
 have haply escaped our memorie ; but as we re-
 member, and can collect from the printed *Index*
 of the Acts of that Assembly, not printed, the case
 was this; Mr. *James Morison* being sentenced with
 suspension from the exercise of his Ministry by
 the Presbyterie of *Kirkwall*, did appeal to the
 General Assembly and go on in his Ministeriall
 function, for which the Presbyterie did pronounce
 against him the sentence of Deposition: The pro-
 cess coming before the Assembly, they did sustean
 his appeal, and rebuking both him and the Pres-
 byterie for their contentious and litigious carriage
 one towards another in that businesse, did (with-
 out (so far as we remember) any ratification of
 the Presbyteries sentence of Deposition , or ap-
 pointing of Mr. *James Morison* to make any ac-
 knowledgement of his offence, for violating the
 just submission and subordination due to the Judi-
 catories of the Kirk, (which doubtless they would
 have done before his reposition, if they had been of
 our Brethrens judgment) did appoint him to be
 reponed again to his Ministry. If the case was
 this, our Brethren have no advantage, but rather
 disadvantage in alleaging of it ; because the As-
 sembly were so far from proceeding to a further
 sentence against Mr. *James Morison*, for counter-
 acting the Sentence of the Presbyterie, that they
 did appoint him to be again reponed to his Mini-
 stery. When our Brethren shall make it appear
 from the Registers to have been otherwise, we shall
 lay the weight upon it that it doth deserve. Our
 Brethren overshoot, when they say, That thus to
 submit, hath been the constant practice of all the
 members

members and Judicatories of this Kirk ever since the late Reformation ; If they mean of the Reformation of this Church from Popery, they cannot but know that there was nothing more ordinary for the members and Judicatories of this Kirk than not to submit unto, but to counteract the Determinations and Sentences of the Prelates and their Synods and Assemblies, not only in matters of Doctrine and Worship, but also of Discipline and Government. It was ordinary for godly men, who were deposed by them and their Courts, to preach and continue in the exercise of their Ministry, notwithstanding of their Sentences. Some of our Brethren themselves did it. It's true, that the Prelates were not a lawfull Authority, nor Church-Officers agreeable to the Word of God : but our Brethren do very well know, that as the Prelates, according to the Act of their Assembly at *Glasgow*, did sometimes in the suspension and deposition of Ministers, associate to themselves the Ministry of those bounds, where the supposed Delinquent served, that is, the Presbytery, wherof he was a member, which was a lawfull Authority ; and that as they did plead for such a submission to their Decrees and Sentences, as these Brethren do now plead for, and upon the same grounds of its being essentiall to Government and preserving of Unity and Order, and shunning of Confusion, &c. so also that those who did refuse and decline that submission, did it not only upon the ground of their want of lawfull Authority, but also upon this ground, That no obedience nor subjection is due to Ecclesiastick Laws that are unjust and contrary to the Word of God ; as will appear to any that

shall read the Treatises that were published by the defenders of the Truth in that hour of temptation, concerning the binding power of Ecclesiasticall Laws. And for the practice of the Members and Judicatories of this Kirk since the Reformation begun in *Anno* 1638. untill these differences did arise, when our Brethren shall bring instances of unjust sentences pronounced in that time by the Judicatories of the Kirk, it will be time for the protesting Brethren to bring instances of not submitting thereto, or counteracting the same. If the sentences were just, submission was due unto them; and they do but trifle to make that submission a precedent to that unlimited submission which they do now plead-for.

Their citation from the Act of the General Assembly, in *Anno* 1647. concerning the hundred and eleven Propositions, and the seventh head of Doctrine therein contained, doth make against our Brethren, and not for them: 1. Because the foregoing words of that Act do clear, that the Assembly speaketh of Ecclesiasticall Government, committed and intrusted by Christ to the Assemblies of the Kirk: but Christ hath committed no power to any Assembly to tyrannize, nor hath He commanded any Church-member, or any inferiour Church-judicatorie to subject themselves to Ecclesiasticall tyrannie. 2. Because the Propositions themselves to which that Act do relate, do confine the obedience and subjection that is to be given to the Ordinances and Decrees of Classes and Synods, to lawfull Ordinances and Decrees; *It is not lawfull, say they, to particular Churches, or (as commonly they are called) Parochiall, eitherto decline*

cline the Authority of Classes or Synods where they are lawfully settled, or may be had (much lesse to withdraw themselves from that Authority if they have once acknowledged it) or to refuse such lawfull Ordinances and Decrees of the Classes or Synods, as being agreeable to the Word of God, are with Authority imposed upon them, Act. 15. 2, 6, 22, 23, 24, 28, 29. Act. 16. 4. Prop. 32. It seemeth it came not into the minds of our Brethren who were appointed to prepare these Articles and Propositions (though they did well understand the nature of Presbyteriall Government) and tendered them unto the Assembly, nor into the Assemblies mind, who after hearing of them publickly read, did unanimously vote and agree to the eight generall heads of Doctrine therein contained and asserted, that men should submit to unlawfull Ordinances and Decrees of Classes and Synods; and therefore we wonder that our Brethren should cite such testimonies for confirmation of their new doctrine, as do indeed make against it. Neither have our Brethren been more happy in what they tell us in their Representation, that this practice of ours in matters of Discipline and Government, was never heard of in any Church where the Officers and constitution thereof were acknowledged to be agreeable to the Word of God. What hath been heard of in this Church we have already told them, and for other Churches, we would desire them to look upon the story of the Church within the first four or five hundred years after Christ, and see whether many of the worthy Servants of Christ who lived of old, such as *Athanasius*, &c. did not refuse submission to Sentences and Decrees of Synods

nods, and counteract thereunto, not only by
 preaching contrary to their Determinations, but
 by preaching and exercising their ministeriall fun-
 ction after Sentences of Deposition and Excom-
 munication passed against them: and it will be
 but a poor shift for our Brethren to tell us, that
 these Synods did not consist of Officers and of a
 Constitution agreeable to the Word of God, be-
 cause these worthy men had no exception against
 the Officers, because of their office of Bishops or
 such like, they being such themselves, nor against
 the constitution, but their exception was against
 the heterodoxie and iniquitie of their Decrees and
 Sentences, upon which account they did refuse
 obedience and subjection thereunto, and did coun-
 teract them, to the utmost of their power; and
 though because of their so doing, they were then
 persecuted and reproached by many of their Bre-
 thren, and of the Kirk-judicatories of these
 times, as the fire-brands of the time, and troublers
 of the peace of the Church; yet hath their praise
 been amongst all sober and sound men in all the
 Churches of Christ throughout many generati-
 ons, and will be so to the end of the world. And
 those who did persecute them for so doing, are,
 and will be justly condemned as men of a malig-
 nant spirit. We remember, to this purpose, an
 observation of *Osiander* upon one of the Canons
 of a Council at *Antioch*, in which it was decided,
 That if any Ecclesiasticall persons, should without
 the advice and letters of the Bishop of the Pro-
 vince, and chiefly of the Metropolitan, go to the
 Emperour to put up any grievance unto him, he
 should be cast out, not only from the holy com-
 munion,

munion; but from his proper dignity which he had in the Church. *This Canon (saith Osiander) was composed against holy Athanasius; for Athanasius being expelled by the Arians, had fled to the Emperour Constantine the younger, and had from him obtained regresse to his own Church. Now this Canon (saith he) is very unjust, which forbiddeth that a Bishop, or any other Minister of the Church being unjustly oppressed, flie to his godly civil Magistrate, since it was lawfull to the Apostle Paul to appeal to the Roman Emperour, wicked Nero, as the Acts of the Apostle witnessse: but it may be seen in this place, that Bishops were very soon seeking dominion (saith he) yea, tyrannie over the Church and over their colleagues, Hist. Eccl. Cent. 4. lib. 2. cap. 48. pag. 242.*

The last part of their allegiance, that both the protesting Brethren and they, were solemnly engaged to this submission at their admission to the Ministrie, if it were meained of such as were admitted by, and gave engagements to the Prelates, it hath indeed too much truth in it, that many of their number, and haply some of the other also, did at their admission to the Ministrie, give these engagements for absolute and implicit submission to their ordinary, the Lord-Prelate, to which the submission required by our Brethren, as we shall afterwards shew, is too neer a kin; but that ever such an absolute unlimited submission, was either required by Presbyteries, or engaged into by intrants since the casting out of the Prelates, we do deny, and are confident, that our Brethren can bring no relevant proof of it in the form and order of the electing of Ministers, condescended upon in the Assembly at *Edinburgh*, March 9. 1560. where
John

John Knox was Moderator ; sundry questions are ordered to be propounded to the intrant to the Ministrie, which (for ought we know) are (and no other for substance) the same that have been propounded since the Assembly at *Glasgow*, 1638. Among other things, It is demanded of him, if he will not be subject to the Discipline of the Church with the rest of his Brethren ? And the answer is, That he doth most willingly submit himself to the wholesome Discipline of the Church ; yea, to the Discipline of the same Church, by which he is now called to this office and charge, and that he doth in Gods presence, and theirs, promise obedience to all admonitions, &c. Now, what doth this amount unto, will our Brethren say, to such a subjection as they contend for ? The subjection here spoken of, is upon expresse supposall of sliding and offending upon his part who promiseth the subjection : upon which case, the protesting Brethren are as much for subjection to Discipline as the resolution Bretheren are : But if they will extend it further, and say, that it is meant of absolute subjection to the sentence of his Brethren, whether he have offended or not, they may as well, and with more colour of reason, say, that he is bound by his oath, not only to give subjection, but also obedience to all their admonitions, whether just or unjust, lawfull or unlawfull ; because there is no expresse limitation in the words of the oath, these qualifications, being as we said before, amongst the *præcognita* and *presupposita* of all such questions and answers, and there being no need to expresse them, except where there are grounds of jealousy. As to the reasons and arguments

ments which do plead against this submission, so much contended for by the resolution Brethren, we shall set them down when we come to speak of the iniquity of these Brethren their demands in order to Union and Peace.

The sixth thing that our Brethren bring in, for attesting the protesting Brethren their projecting to subvert the Government of the Church, is, *That some of them did endeavour to enervate the power of Church-judicatories, by procuring an order, putting the power of giving testimonie to intrants (which is due to Presbyteries only who are authorized to judge of their call, and to try and to ordain them) in the hands of some select persons of their own choosing, Declar. pag. 6.* We do somewhat wonder at our Brethrens mentioning of this, and that in a Paper pretending to earnest desires of Union and Peace. 1. Because the whole Land, and their consciences know, that that order was not imbraced nor made use of by the protesting party in *Scotland*, and that many of those whose names were in it, gave their reasons why they were not clear in their consciences to close with it. 2. Because it is well known to themselves, that the reverend Brother, upon whom they would cast the blame in this matter, and others of both judgements, were required by the Lord Protector to go to *London*; where being demanded, he gave his opinion, That seeing there was a Court established in *Scotland* for disposing of the legall maintenance to such Intrants of the Ministrie, as upon certificates should be approved of by the Judges of that Court, whereby the Judges were left to an uncertainty, whose certificates to receive; It was therefore fittest in the present distractions

stractions of the Church, that those certificates
 should be granted by a select number of both
 judgements; which being embraced by my Lord
 Protector and his Council, and an Ordinance
 passed for that effect, and sent to *Scotland*; When
 the reverend Brother did perceive that it was not
 accepted, he laid it aside and did not prosecute it
 any further; And we wish the Brethren for the
 publick Resolutions would follow the example of
 his condescendencie in the like cases. But may it
 not be truly said, that our Brethren have done
 much more themselves for enervating the power
 of Church-Judicatories, and bringing the Mi-
 nistrie into bondage by clandestine capitulation
 of theirs, about Intrants to the Ministrie, the
 effects whereof are so well known as we need not
 to mention them? But (say they in the next
 place) *When it pleased the Lord to break that snare,*
their leading men have again of late attempted the ut-
ter ruine of this Church, and of these who differ from
them, under the pretext of seeking a Commission for
plantation of Churches, they projected to have the power
of disposing the legall maintenance of Ministers put
in the hands of that Commission; though they know
such a power was never given nor assumed by such a
Judicatorie, but that it is contrarie to the order esta-
lished by the Law of the Land: the great design ther-
of being not only to call the Authority of the late As-
semblies in question, as they expresse in their desire, but
to have the maintenance put in the hands of men to their
mind, who were the proposers of the Overture, that
so they might discourage all who are opposite to them
from the Ministrie. What poor and weak pre-
misses are heer to draw such a conclusion from!
 That

That the protesting Brethren, or their leading men, have of late attempted the utter ruine of this Church, and of those who differ from them. When the civil powers were pleated to put in the hands, first, of a peculiar Court appointed for that end, and afterwards into the hands of the Council, the disposing of the legall maintenance of Ministers to such Intrants, as upon certificates should be approved by them; The protesting Brethren having represented the inconveniencie of this thing unto his Highnesse Council in Scotland, and finding that they were not impowered to change that way, did afterward by some of their number, supplicate his Highnesse, That as it is allowed to the Nation to be governed by her own Laws, the like freedom may be given to the Church to be governed by her own uncontroverted Acts and Constitutions, and that Intrants to the Ministry might have full access to their stipends and maintenance, conform to the Laws of the Nation, without any bonds or engagements of a civil nature, directly or indirectly, and that all the Acts of Parliaments which do relate to the liberties of the Kirk, may be declared to be still in force; and that there might be a Commission of able and godly men, who know and understand our Church affairs, nominated by his Highnesse, which might exercise the power which was formerly in the Commission of Plantation of Churches in Scotland; and also do the duty of the Civil Magistrate anent Ecclesiastick matters, according to the Rules and Acts of uncontroverted Assemblies, and Laws of the Land preceding the year, 1651. Was there herein any thing faulty, much lesse so hainously faulty as an attempt for the utter ruin of the Church and of the resolution Brethren? Yes, say they, there was a project

project in it to have the power of disposing the legal maintenance of Ministers put into the hands of that Commission, though such a power was never given nor assumed by such a Judicatory, and is contrary to the order established by the Law of the Land : But as the first part of the protesting Brethren their desire, which we have already set down, doth expressly bear, That Ministers might have access to their stipends in such a way, as is conform to the Laws of the Land ; So doth the last part expressly qualifie the power which they desire to be given to the Commission of Plantation of Kirks in the exercise of it, that it might be according to Acts of uncontroverted Assemblies and the Laws of the Land : It is neither falshood nor vanity for the protesting Brethren when they are charged as underminers of the Liberties of this Kirk, to say, that in their essays for preserving and vindicating of these, they have been nothing short, if not somewhat beyond these men who challenge them ; And what though (upon supposall of the purpose and resolution of the civil powers not to alter the former way of disposing of the legal maintenance of Ministers) they had desired that the disposing of Ministers maintenance might be in the hands of that Commission, was it a fault, when they could not prevail to bring it in conformity to the Laws of the Land, to desire that there might be a translation of the power in its exercise from one subject to another, who being not necessarily diverted with multiplicity of affairs, as the Council is, might more conveniently attend it ? But, say they, the great design of this was, to call the Authority of late Assemblies

in question. Supposing that to be true, that the Authoritie of these Assemblies were not only called in question, but pronounced null, would that bring utter ruine to this Church, and to those who plead for them? do our Brethren think that the Church and themselves must stand or fall with the Authority of these late Assemblies? We wish the Church and them too, better foundations then such bowing walls and tottering fences. *But could not the Commission for plantation of Kirks have exercised that Power, and the Authority of these Assemblies have also stood? we see no inconsistencie between them.* Next, say they, The design was to have the maintenance put in the hands of men to their mind, that so they might discourage all from the Ministrie who are opposit to themselves. If our Brethren judge such discouragement to be so great a crime, why have they so much practized it, and framed the mischief thereof into a Law, that none shall have liberty to be a Burser in a Divinity-College, or to wait upon a Family, much lesse to be admitted to the Ministrie, that doth not acknowledge the Constitution, and submit to the Acts of these two late Assemblies? But as concerning the men into whose hands the protesting Brethren would have had the disposing of the maintenance put, though we cannot say that they are, or ought to be so self-denied that they would not have wished it to have been so, yet did they never expect such a Commission as should wholly consist of men according to their mind, nor was that ever any of their Propositions to his Highness, directly or indirectly; Yea, their Propositions did not contain that qualification, as to any of

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them. And we can also say, That though they had been mostly or wholly of that mind, there would have been room and encouragement for men of our Brethrens judgement, both to continue, and enter into the Ministrie.

Thus now have we answered that first and great prejudice, wherewith our Brethrens Paper, and (it seemeth) their spirits, are fraughted, against the protesting Brethren, to wit, That they do not only dissent from, but also that they have it in their thoughts and design, to subvert and destroy the established Government of the Kirk of *Scotland* by Presbyteries and Synods, and that their practices do manifestly tend thereunto. And in this we have been the larger, not only because we have more then probable ground to look upon it, as the great scope of our Brethrens Paper, to fill and possess this Church, and the Churches abroad, with this opinion of these Brethren that they are indeed such a shrewd party as they describe them to be, that so they may acquit and justifie the resolution Brethren in all that they have hitherto done, or shall hereafter do against them; but also, because if there be any remnants of real inclinations in our Brethrens bosoms to a Peace approved of God and tending to edification; we did conceive it necessary to endeavor, though with much weakness, to roll out of their way that great rock of offence, which they have by their own mistakes so long and so much stumbled upon, unto the making of them halt more and more, day by day, in their affections towards the protesting Brethren.

There be yet two prejudices more, which we find in their Declaration, that we shall more briefly

ly speak unto; one is, *That they have begun a needlesse rent in the Church upon a question so extrinseck to our Doctrine, Worship and Government*; so they speak in the fourth page of their Declaration: and in the third page they call it *a tossing about a debate, now so far removed out of our way*. To which we answer; first, Whatever be the nature of the Question about the publick Resolutions, it is certain and manifest that the Rent thereupon was begun by the resolution Brethren; because they did in a surreptitious meeting of some of the Commissioners of the General Assembly, without giving timous and due warning to others, in the year 1651. suddenly take these Resolutions, when the whole Church of *Scotland* was in possession of, and by solemn Covenants and Vows engaged to the Truths, to which these Resolutions are contrary and destructive. 2. This Question is not so extrinseck to our Doctrine, Worship and Government, as our Brethren would make the world believe; it doth involve a portion of the precious Truth of God, which he hath been pleased to reveal and hold forth in His Word for the edification of His Church and People, that they may know what they ought to do, and what they ought not to do, in the case of intrusting of known wicked malignant men, enemies to Truth and Godlinesse, with the interests of the Lords Work and People; And this Truth, as it hath all along since the Reformation from Popery been taught and holden forth by the Kirk of *Scotland*, so hath the preservation and practice thereof been judgd necessary for preserving the rest of the Doctrine, and the Worship and Government in their puri-

ty, and from the pollutions and corruptions which evil men use to bring in, or give way unto ; yea, this very thing (as our Brethren do well know) was no small part of the controversie all along from the year 1638. betwixt the wel-affected, and the Popish and Prelaticall and Malignant party ? they may take One instance of many, to wit, the desires of the Commission of the General Assembly, in *Anno* 1648. concerning the unlawfull Engagement ; amongst which, that about the qualification of instruments was one of the chief. We desire them to remember what spirit that man would have been judged of, who in the Assembly, *Anno* 1650. should have pleaded that to be a question much extrinsick to our Doctrine, Worship and Government, and that it would furnish just ground of complaint against the Assembly, if they should, because thereof, divide from the Parliament which carried on that unlawfull Engagement in war against *England* ? 3. If our Brethren do indeed judge this question to be so extrinsick to our Doctrine, Worship and Government, How cometh it to passe that they are so tenacious of the determinations of their Assemblies about it ? If Doctrine, and Worship, and Government may be preserved intire without it, may they not for the Peace of the Church condescend to take course that these Determinations shall not be looked upon as the definitive judgement of this Kirk, or any of the Judicatories thereof in these matters ? And how cometh it to passe, that upon a question so extrinsick, they did make and still keep up against Ministers, Elders, Expectants and Professours, Acts importing so severe censures against those
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who do not submit to the Determinations of their Assemblies concerning these things? Next, If the question be so extrinſick, how cometh it that they ſometime place the ſtanding or falling of this Church therein, and now again they would make it of no moment? But further we ſay, The ſubject matter of theſe debates is not ſo far removed out of the way as our Brethren do talk, but do ſtill continue in many reſpects: 1. In regard of the ſin and guilt thereof, which hath not been taken-with, nor repented-of till this day. And as the reſolution Brethren judge it hard for the proteſting Brethren to be ſatisfied with nothing, unleſſe they do repent of that, as a ſin which in their conſciences they judge to be a duty; So they muſt give leave to the proteſting Brethren to judge it hard, that the Church, of which they are Members and Miniſters, ſhould lye under the guilt of a publick tranſgreſſion, and under great and ſore wrath, becauſe thereof, and they in the mean while not be permitted to diſcover her iniquity therein, that her captivity may be turned away, eſpecially when they are engaged by Covenant ſo to do. 2. Theſe Reſolutions do continue, in regard of the Synodical approbation and tie thereof upon all the Members of this Kirk. 3. They do continue in regard of the Acts which were made for carrying on thereof, to wit. thoſe which appoint cenſures againſt all the Members of this Kirk, who do not approve of the Authority of that Aſſembly at Saint *Andrews* and *Dundee*, and ſubmit to the Acts and Conſtitutions thereof. 4. They do continue in regard of the publick Warnings, Remonſtrances and Declarations of the Commiſſion,

tion, 1650. and the pretended Assembly following, against the opposers thereof. 5. In regard of the authoritative approbation of many of these things by Provinciaall Synods and Presbyteries, many of which have made and past particular Acts for that effect. 6. In regard of the execution of the Acts of the pretended Assemblies at Saint *Andrews*, *Dundee*, and *Edinburgh*, against Ministers, Elders and Expectants, who adhere to the Protestation. 7. In order to the taking-in of many disaffected and malignant persons, and making them capable of Ecclesiastick priviledges and trust, such having vote in Congregations in the Election of Ministers and Elders, and sitting as Elders in Kirk-judicatories in a wrong way. 8. They do continue in all these sad fruits and evidences of defection, which the protesting Brethren did long ago represent to the several Synods, and have since that time collected together in one; And therefore the Authors of this Declaration do give their Readers but words, and wrong the protesting Brethren, when they tell them of tossing about a debate now so far removed out of the way; and so do others of their party when they do discourse and write in such a strain, as if there were no obstruction of Peace and of an Agreement, from any thing pertaining to these Resolutions that is now in being, or that is urged by these who do adhere thereunto, upon, or against the protesting Brethren; but that all the ground of the continuing of the difference, is, because the resolution Brethren will not quit their judgments and professe Repentance for what they have done; When as, besides repentance and changing
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of their judgment (which though the protesting Brethren do wish, and pray for, and hold forth as their duty) yet do they not make it a condition, without which they will have no Union and Peace with them. There be many things relating to these Resolutions that are still in being, and are adhered unto, and prosecuted by these Brethren, that do prove hinderances and impediments of an Agreement betwixt them and the protesting Brethren ; which, as it is partly manifest from what is already said, so shall it more evidently and fully be made to appear when we shall take in consideration the Overtures of Union propounded by them in this Paper.

Another of their prejudices, is, *That the protesting Brethren affect prebeminence, and would set up a domination of their party in this Church, and over their Brethren*, Decl. pag. 4. & pag. 6. If we should say, that there is nothing of that root of pride and ambition in the protesting Brethren, that took hold on our first parents in paradise, and hath from them been derived unto all the posterity descended from them by ordinary generation, and keepeth some footing in the best of men, in whom a body of death dwelleth, we should but flatter them, and lie against the Truth ; there is, no doubt, as much of that bitter root in them as may be matter of bitter mourning and humiliation unto them before God ; neither will they (we believe) deny, but that they would wish the whole Church of God in this Land, and the Judicatories thereof, to be of their judgment in these points of difference, though, we hope, not upon the accompt that it is theirs, but because they judge it to be of the Lord, and

consonant to the rule of His Word ; but that they do affect preheminance, and would set up a domination of their party over the Church, and over their Brethren, We have confidence and clearnesse to deny it, and have their works to witnesse the contrary. Our Brethren do well know that in their judgments, the Commission of the Generall Assembly, 1650. is still in force ; and might they not, if they had been a party affecting preheminance, have exercised the Power contained therein these years past ? But how soon those of their number, who are members thereof, had, with the advice of other Brethren of that judgement, holden-forth the causes of the Lords controversie against the Land, they did abstain and have hithertills abstained from acting in that capacity ; How frequently also have they offered unto the resolution Brethren, that if they would by themselves alone, and without them purge the House of God, that it should satisfie them to look on and rejoyce in their work ; and if when they had long waited for it and saw them like to do nothing in it ; yea, that most of them were adverse to it, and were polluting in stead of purging, Must it be an affecting of domination for Ministers and Elders in the House of God, to propound such means and overtures as do carry in them some probability towards doing somewhat in that necessary work, wherein they are yet still willing that the Resolution Brethren should have more than equal share with themselves ? It hath been ordinary for righteous men, whose consciences could not suffer them to be silent and to couch under publick corruptions without bearing testimony against the same, and

and endeavouring a remedy thereof, to meet with such reproaches from oppressing and loose parties and persons that have stood in the way of Reformation, that they would needs be judges, and did take too much upon them, and were seeking to set up themselves : It being amongst the policies of Satan (wherein not only the common world, but even good men may sometimes through weaknesse and mistake be subservient unto him) because he cannot finde in the outward carriage of those whom God calleth to witnesse against, or pull down his kingdom, sufficient ground of challenge by which they may be made odious to the world; therefore he thinketh it for his advantage to charge them with inward abominations, such as hypocrisie, and ambition, and covetousnesse, and mischievous projects and designs, &c. knowing that though they may justly deny these things, yet they shall not be able easily to refute them, there being alwayes somewhat in the most innocent and best actions of the best and most innocent men, that may by an uncharitable judgment be construed to spring from such roots.

It remaineth in the last place, that we should speak to those Proposals, and Overtures of Union and Peace, that are tendred to the Protesting Brethren, and published to the world in that Declaration; concerning which, before we descend into particulars, we offer these generall Observations;
 1. That in the very entry, they lay such a stumbling-block in the way, as seemes to render Union very hopeles: For, having spoken of the tearms of Union, propounded by the Protesting Brethren, and of the pretended injuries done by them to the
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Government, they do the in eight page conclude thus ; *For our part (say they) we resolve in the power of the Lord's grace never to accord therunto, nor to recede from the established Government, be the hazard what it will*; that is in plain English, We resolve never to condescend to any overture of purging of the Church, that hath in it any circumstance out of the common road of doing it, by the plurality of corrupt men in Presbyteries and Synods, nor to recede from that arbitrary unlimited submission, which we have declared to belong to the essence and being of the Government. As long as these Brethren will condescend to no effectuall means of purging the Church, and will unite with the Protesting Brethren upon no other terms, then upon their yeelding to such a submission; How can there be a comfortable Union and Peace?

2. That whilst they make an offer of Peace, and profess themselves to be heartily content to bury in oblivion all former injuries, and to be far from any animosities which might have flowed from the same: They do in this Paper rake the very bowels of by-gone actions; and from thence come and raise heapes of alleaged injuries, and that with such a height of animosity, that we believe, open and professed enemies could hardly outstrip them therein: so that the white and black of that printed Paper are not more opposite, then their professions and practices therein are inconsistent.

3. That it cannot be certainly and distinctly known, what are the Overtures of Union and Peace, which they tender to their Brethren in that Declaration; because they do for the full knowledge of their minde in order therunto, refer to the

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Conference at *Edinburgh*, November 1655. and to their late Representation : And do thereafter in this Declaration enumerate some particulars, passing by others mentioned in the Conference, without declaring themselves, whether they do continue still of the same minde, as to these ; wherby the *Protesting Brethren* and others are left in the dark, as to their present thoughts about these things. It is true, that in the last page of their Declaration they do tell us, *That notwithstanding all the violent attempts of the Protesting Brethren against the Church-Government and them, since their Conference with them, yet they are not at all irritated thereby to recede from the condescensions and offers then made.* Whether the frame of their spirits, as to the matter of irritation, doth answer so fair expressions, let the tenor of their Representation and this Declaration bear witness. But as to their Proposals, if they do not recede from any of their condescensions and offers, made at the Conference at *Edinburgh*, November 1655. Wherefore is it that after they have expressed but a few of them, without mentioning the rest, they do in the penult page of their Declaration tell us, *That they have made choise of this way of making known their inclinations to Peace, that their condescensions may not be hudled up in a Conference with some few, who may keep them up, or represent them to others as they please?* These words seem to us in the scope of them clearly to import, that this Declaration bears all, and the outmost length of their condescensions ; and yet it comes short in sundry particulars of what they granted in the Conference, and also of what they required ; and therefore, though they may understand themselves,

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yet we believe, it will be hard for others to understand them ; whether from this Paper only, or also from the Papers at the Conference, we be to take the just measure of their Proposals and Desires.

4. That they do usher in these things , which they would make the world believe to be great concessions to the protesting Brethren, with great misrepresentations of the nature of their Acts and ill-grounded assertions of matters of fact. As first, Speaking to these Acts of their Assemblies, that are a Barr in the way to keep Protesting Brethren from the Ministry, and from being members of Church-judicatories. *We shall not now insist (say they) to clear the justice and necessity of the conclusions of these Assemblies at that time , and to shew that nothing was then done but what was done formerly in like cases.*

Our Brethren do by these hints, give the Protesting Brethren clearly enough to understand what lot they might have expected from them , as to the execution of these Acts , if the times had not altered. Were these Acts just and necessary at that time, and are not so now also ? What hath made them change their nature ? Our Brethren give just occasion to people to stumble , and have the Ministry in contempt , by pleading conscience , and justice , and necessity a long while for things ; and then receding from them upon politick grounds, as if there were no conscience, nor justice, nor necessity of duty in them. Surely, if there be any variation, as to these Acts , it is not from the nature of the things themselves , but because the times have changed ; and if the times should change again, it is more than probable that they would find the same justice and necessity in them still : We do

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not know why when they proffer a suspension of the execution of them they should assert the justice and necessity of them, but that they may have a handsome regresse to take them up again when they find an opportunity, which saith, that it is not regard to justice, but to necessity, that prevails upon them to lay them down. But what justice or necessity was there for such conclusions as these, that did enact censures of Deposition against all the Ministers, and of Excommunication against the Professors of this Church, that did not acknowledge the Constitution and submit unto the Acts of these Assemblies? Was there justice and necessity for so severe procedure for refusing submission in things, which in our Brethrens opinion are so extrinsick to our Doctrine, and Worship, and Discipline, and Government? Or, was there justice and necessity to persecute all those who did plead, and bear testimony against the open breach of a sworn Covenant and Engagement? We know no precedent or parallel that our Brethren can shew for this, unlesse they fetch it from the times of Popery and Prelacy. *We might also (say they) instruct, that though some very few Presbyteries have required of Intrants to the Ministry, of whatsoever judgment, that they should promise not to trouble the peace of the Church with these needlesse debates; Yet, to our best knowledge, none of these Acts have been de facto a bar to hold out any godly man who was lawfully and orderly called and tried; though we may but too justly complain how industrious and active they have been to thrust-in men of their judgment, and crush godly and able men, who did not agree with them. Though all that's here asserted were true, yet hath there been*
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too much mischief done by these Acts, to wit, the thrusting of godly men out of Elderships, Presbyteries and Synods, and the barring of hopeful young-men from trials, in order to publick preaching, and of able and godly Expectants from being called and tried, in order to their entrance in the Ministry; because they had no freedom in their consciences to take upon them the bonds required, which we have already set down; for, this Act, as it hath kept sundry Congregations from calling Expectants of that judgment, because there was no probable way how they could be tried or admitted to the Ministry; So have sundry Expectants, being called, been thereby barred from proceeding to their trials, and sundry ruling Elders been excluded from sitting and voting in Presbyteries and Synods; and sundry hopeful young-men have been necessitated to remove from the Presbyteries and Provinces wherein they did live, before they could be admitted to give any proof of their gifts for preaching, which the Resolution Brethren throughout the Country do very well know to be a truth, that can be verified by instructing of particulars in several Presbyteries and Synods. But besides those sad effects of these Acts, which are here buried in silence, it seemeth that the Authors of this Paper, though they would fain deny, yet cannot get it avoided, that these Acts have been put in execution; for, they are forced to confesse, that some few Presbyteries have required these bonds of Intrants to the Ministry; only they say that they have been required of men of whatsoever judgment, as if they had required of men of their own judgment, as well as of those

who are for the Protestation ; so serious are our Brethren in these matters, that it seems they love to jest : But who gave them this power to require these bonds of men of their own judgment, seeing the Act speaketh only of men of the other judgement ? Or, if they do exercise it, do they mean to bind up men of their own judgment from debating for the Protestation and against the Publick Resolutions ? or, to bind them up from debating for the Publick Resolutions, and against the Protestation ? If so, why do they themselves shew them so bad example in their Representation and Declaration, which are fraughted with debates of that nature ? Why do they that teach others, not teach them ownelves ? But what rational man, who readeth these Acts, will think that they were equally made for, or that they can be equally extended against men of both judgments ? Their last refuge is, That, to their best knowledge, none of these Acts have been *de facto* a bar to hold out any godly man, who was lawfully and orderly called and tried. We have already told them, that it is a bar to keep some from being called, and others from being tried ; and therefore this, though true, were but a sophistication as to the point they speak unto : but there is not truth in the thing it self, because godly men, lawfully and orderly called and tryed, have been barred from entering the Ministerie by this Act, as themselves do well know, and whereof we can give the instances. As to what they speak of the protesting Brethren, that they may but too justly complain that they have been industrious and active to thrust-in men of their judgement, and to crush godly and able men

men who did not agree with them: it is but a groundlesse complaint, that is as easily denied as asserted; For our parts, we think that there is cause to wish there were more industrie and activity amongst the protesting Brethren for their duty, and that there were more ability and godlinesse amongst the Expectants who are of the Resolution judgement. Next, they tell the protesting Brethren, That *though they make a great noise of the Censures inflicted on some of their number, by the Assembly, 1651. yet they might say much on the behalf of the Assembly their proceeding at that time, and of their lenity, who did only censure four of their number; who yet have never submitted to these Censures, and consequently have the lesse cause to complain.* It seemeth they do still resolve to justifie all their unluckie proceedings to a tittle, and that they do rather repent that they have done so little, in persecuting the protesting Brethren, then that they have done so much: Was it lenity, first, to suspend and depose innocent men from their Ministerie, because of their witnessing against Covenant-breaches, and then to ordain the Judicatories of the Kirk to proceed against them with the sentence of Excommunication, if they should not submit to their unjust Censures? That they have not submitted, was not because of any abatement of rigor upon the part of the Brethren who are for the publick Resolutions, (they having caused some of these Sentences to be publickly intimated, four or five years time after the enacting of them, and having denied to admit others of them as correspondents, though clothed with a commission from their own Synods, for that effect)

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but from the conscience of their own innocencie and of the iniquity and nullity of these Sentences, as being unjust in themselves, and proceeding from these who had no Authority; and yet, have they great cause to complain, because they have thereby not only been violently thrust out of these Kirk-Judicatories, where the resolution Brethren could carry the vote, but also have been exposed to railing and reproach and hazard from profane and malignant men throughout the Land, and sundry of them to suffering and persecution from ill-affected persons in their own Congregations; who have, upon that account, not only separated themselves from their Ministerie, and set up others according to their own heart in their stead, but done their utmost to thrust them out of their stations, and when that could not be obtained, have done what they can to make their life a burden and comfortless unto them; in all which (for ought that ever we did hear) they have been connived at by the resolution Brethren, and in most of these things countenanced and assisted, by not a few of the chief of them, who have thought it good service to God, so to do: but blessed be His holy Majestie that hath not herein accomplished their desires, but hath upholden His weak Servants and kepted them from fainting in the day of their trouble. And though the resolution Brethren do now seem to proffer some mitigation in the matter of these Censures, yet is it (being duly weighed) in such a way and upon such hard conditions as maketh it nothing upon the matter: For why? They do not offer that these Censures

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shall be declared void or null, or, that these Ministers, notwithstanding thereof, shall be declared standing Ministers of the Gospel ; but after a preface of the justice of these Censures, they are content that the Synods do take off the Censures that are upon their respective Members ; which doth suppose , and lay for a ground, that they have been reall and just Sentences, rightly inflicted, for reall and just causes, and are now taken off (as these Brethren explain themselves at the conference at *Edinburgh*) for the Peace of the Church ; which is, in stead of making them void, in effect to establish and fix them, as to the equity of them, however a dispensation be granted to these Brethren, whom they concern, to exercise their Ministerie for Peaces sake ; and neither is even this to be done, but upon their giving assurance of their submission to the Judicatories ; that is, in our Brethrens sense, never to counteract any of the Sentences of the Church-Judicatories hereafter, but to submit thereunto, whether they be just or unjust, the iniquity whereof we shall afterward discover.

But leaving these generall considerations, we shall take notice of the insufficiencie, inequality and iniquity of their proposals for Union and Peace. First, They are insufficient ; because,
 1. There is no remedie, unlesse it be a mock-remedie, holden forth therein, as to the matter of the publick Resolutions, and the corrupt constitution of the two pretended Assemblies, at *Saint Andrews*, and *Dundee*, and *Edinburgh*, for preventing the like corrupt constitution for the time to come ; which

which things they know to be two great grounds of the protesting Brethren their grievances. These Brethren do in the conference at *Edinburgh*, *Novemb. 8. 1655.* propound and desire, *That the Acts of the Commission of the General Assembly, 1650. concerning the publick Resolutions, and their Declarations, and Warnings, and Acts resulting thereupon, and the Declarations and Acts of the two late controverted Assemblies of Dundee and Edinburgh, and all other Declarations and Acts in Presbyteries and Synods, that are the results thereof, be rendered of none effect, in order to censure past or to come; and also, so far as they do import, or may be alleaged as the publick definitive judgement of this Kirk, or of any of the Judicatories thereof, anent the matters contained therein, and that they be not re-acted in any time hereafter.* Next, that it be declared, *That the two controverted Assemblies at Saint Andrews, and Dundee, and Edinburgh, shall be, as to their constitution in the things protested and excepted against, no precedent nor prejudice to the constitution of future Generall Assemblies.* Of all that is contained in these desires, they do only proffer a cessation from the execution of these Acts, whereby a barr is laid in the way to keep men who are not of their judgement from the Ministerie, and that they shall agree that they be made void and null by the next Generall Assembly. If it be said, that they do also agree that the matter concerning the publick Resolutions be remitted to the Determination of a Generall Assembly. It is true, they do so, and that is the mock-remedie we spoke of, conceiving we have just reason to call it so; not

only, because in the same place they will have it an Assembly according to the established order, which, being expounded according to the Acts of their two late Assemblies, importeth an admitting of such only to be Members, who do acknowledge the constitution, and submit to the Acts of these Assemblies that ratified these Resolutions, and the things relating thereunto, all others by their established order being incapable to be chosen Members; but also, because they are sure to have an Assembly according to their mind, the plurality of Presbyteries being of that judgement, and the protesting Brethren being (as they call them) but a small number in comparison of these who are for the publick Resolutions. But haply, some will say, That the resolution Brethren cannot, without quitting of their judgement, condescend that the publick Resolutions shall not hereafter be looked upon or acknowledged as the publick definitive judgement of the *Kirk of Scotland*. We know, that themselves do so say, but of this we could never hear a satisfying reason from them; and, we believe, men of more piercing judgements then we are, shall hardly reach it. Is the repealing of one Act of that Assembly, to which they did vote, and which they do still in their judgements approve, as just and equitable upon the matter, a quitting of their judgements, more then the repealing of another, to which they did also vote, and do still approve of? They are content for the peace of the Church to repeal these Acts that do relate to the censuring of such as do oppose these Resolutions,

tions, and this they can do without condemning or quitting of their judgement: And may they not also, without condemning or quitting of their judgement, for the peace of the Church, repeal these Acts that declare these Resolutions to be the definitive sentence of the Kirk of *Scotland*? this would not be a quitting or altering their judgements concerning the things themselves, but only the taking-off the Synodicall or Juridicall tye; not because of any error in the things themselves, but upon other extrinsick considerations, a thing very ordinary in Judicatories both Civil and Ecclesiastick: And we believe, unbyassed men will think that our Brethren, who professe and publish the matter of the publick Resolutions, to be a question so extrinsick to our Doctrine, Worship and Government, and a debate now so far removed out of our way, are bound the rather so to do, because our Doctrine, Worship and Government can receive no prejudice by taking-off a Synodicall tye in matters of opinion that are so extrinsick thereto. If our resolution Brethren do indeed judge them so extrinsick, and yet will not herein condescend, they give more then cause even to indifferent men, to apprehend that all their professions for, and pretensions unto Peace, are but professious and pretensious; or else, that they mean to hold up the tottering foundations of these rotten Resolutions, in order to some new fabrick that they intend to build thereupon when opportunity shall serve, unto the producing of the like or worse divisions and persecutions in the Church then they have formerly brought forth.

Secondly, These Proposals of theirs are insufficient, because they do contain or hold forth no effectuall means for purging of the Lords House of insufficient and scandalous and corrupt Ministers and Elders, which is one of the main desires propounded by the protesting Brethren, and one of the most necessary duties that lyeth upon the Church at this time, there being so many of that sort in the Land: they do in this particular give them a number of good words, but when they are compared with their practices and performances, they shall be found but words and no more; they tell them that *they do not contravert with them in this businesse, having often professed their willingnesse to go about that work in the most strict way, according to justice, and the common rules of Church-Judicatories in such cases; and that they have not only often intreated them to unite upon this very account, that the work of purging might be carried-on more effectually, but have upon all occasions of any report of scandall or insufficiencie, laid forth themselves to the utmost to try and examine the truth thereof, and have not been wanting in inflicting due censure for any thing that at any time was found.* When we read these words, our spirits were filled with astonishment and grief, and what answer to return to such asseverations, we do not know, unlesse it be to commit the cause unto God, who knoweth their way in these matters, and whether they have made conscience of the work of purging these seven years past, or have neglected and obstructed the same; yea, have in a great measure undone what was formerly done therein.

How

How few insufficient, scandalous Ministers, since the birth of these publick Resolutions to this day have been removed from bearing charge in the House of God, and how many such have been brought-in ? We do believe that it may be truly asserted, that the resolution Brethren in one Synod since that time have brought in moe, who were formerly publicly censured for their scandalous and malignant carriage, then all the Synods in *Scotland*, of that judgement, have purged out. There be in one Synod nine or ten such brought into the Ministry, besides four or five others, whose mouths are opened to preach publicly, and likewise some others who are connived at to preach and administer the Ordinances, notwithstanding of their being twice deposed formerly, because of grosse offences. Let them name us, if they can, so many purged-out by the Resolution-party in all the Synods of their way these seven years past ; Why then do they speak such big words of their willingnesse to, and activity in purging ? Yea, who knoweth not that many of their party oppose Union upon this very accompt, and that even good men amongst them, who were wont to be of another spirit, are too slow and backward in this duty, by which it hath come to passe that a few processes that have by importunity been set on foot against some naughty men in some Synods, have by the Resolution Brethren their exercising their wits and inventions to find out and cast in legal shews of defence, such as variety of exceptions against witnesses, and glosses upon their depositions, and such

like, been rendred more tedious, and involved in more notional debates than readily are to be found at the most litigious Civil Bar ; and after all, these things have come but to a poor issue in the end, very few (if any) of these men being deposed from the Ministry, notwithstanding of many and gross scandals which they do lye under. It is the sad complaint of the Godly, that the simplicity of the Gospel, and the good old way that was wont to be used in the Church, in the trying of insufficient and scandalous Ministers is forsaken, and such a way taken as rather giveth them ground and encouragement to cover and hold fast their iniquity, than doth contribute to the convincing of their consciences and making them acknowledge their sin, by which it comes to passe that poor souls, who groan under the burden, are discouraged to offer the grounds of their grievance, as much despairing to find any remedy thereof : But, say the Resolution Brethren, *they are so far from foreslowing or obstructing purging, that, to declare their readinesse and sincerity in that matter, they are content, if their Brethren be not satisfied with the Rules of procedure hitherto agreed upon, that they condescend upon the strictest Rules can be desired in justice for trial and censure, and that they shall be willing to observe them ; providing they be Rules binding for all, and to which all will submit, both we and they.* To which we answer, first, That they do not adhere unto, nor put in practice the Rules already agreed upon, to what purpose then should new Rules be agreed upon ? It was formerly agreed upon, That Synods ought, in the case of the negligence of Presbyteries, to appoint

point Visitations for trial and censure in their several bounds : but in very few of the Synods of the Resolution judgment have there been any such Visitations appointed or kept since these Resolutions had a being, albeit Presbyteries be negligent of their duty ; yea, sundry Brethren in sundry of these Synods shew themselves dissatisfied with, and speak against such Visitations ; And as long as the Synods themselves do not practise them, there being so much need of them, how can we otherways judge but that they do dislike them ? Secondly, It was formerly agreed upon, That the Kirk-judicatories might, in the trial of Ministers, proceed by way of Inquisition : but now this is dissented from and casten at by many of the Resolution Brethren, who will have no trial ; some of them without a Libel, and others of them without a Libel and an Accuser too, engaging to prove his Alleageance under pain of being censured as a Slanderer. Thirdly, Sundry things, such as drunkenesse, swearing, &c. which were formerly proceeded against with the censures of Suspension and Deposition, are now so extenuated by many of these Brethren, that they do refuse to censure them with these Censures, unlesse the habits or many continued re-iterated acts of these things can be proven ; And yet the Authors of this Declaration do so talk, as if all the Brethren of that judgment did strictly adhere unto, and were unanimous about the former way of procedure in the trial and censure of Ministers : but besides this departure from former Rules, they do but trifle when they say, that they are content that the Protesting

testing Brethren condescend upon the strictest Rules can be desired in justice for trial and censure, because it is alwayes with the supposal of this foundation which they have already laid, to wit, That these Rules shall be applied or executed by men of their own judgment, who are the plurality in Presbyteries and Synods; And what purging we may expect from them, these seven years practice do now sufficiently manifest.

Thirdly, The insufficiency of these Proposals doth appear from this, That they do offer and hold forth no remedy for the grievance of the Protesting Brethren, and of the Godly throughout the Land, in the matter of planting Congregations upon the Call of the plurality in Paroches, many of which are ignorant, and disaffected, and malignant, by which it comes to passe that men get into the Ministry, that cannot speak a word in season to a weary soul, and who discountenance piety and godlinesse, which (if there be not some effectual remedy provided against it) cannot but prove an evil very destructive to the Church, and afflicting to all who do unfeignedly desire and seek the advancement of the Gospel, and of the Kingdom of our Lord Jesus Christ.

Fourthly, These Proposals do not mention any remedy against such Ministers, Expectants and Schoolmasters, who were deposed or silenced, or removed from their Charges by General Assemblies or Synods, or their Commissioners, or by Presbyteries before these differences did arise, and have again intruded themselves, or are reponed into publick stations in the Ministry, or Schools, or have

have their mouthes opened by Presbyteries or Synods, without confession and acknowledgement of, and repentance for all the particulars contained in their sentence and otherwise, then is provided in the Acts of uncontroverted General Assemblies : Nor do they hold forth any thing as to the way of calling of a General Assembly, and the electing of Commissioners thereunto, and handling of matters therein ; all which, as also the giving of mutual evidence and assurance in matters concerning the Doctrine, Worship, Discipline and Government of this Church, and the enemies of Truth and Godlineſſe, and the work of Reformation, for adhering unto theſe Articles of our Covenants, and the ſolemn publick Confession of Sins and Engagement unto Duties, and all the Acts of uncontroverted Assemblies relating thereunto, in the literall and genuine ſenſe and meaning thereof, which were propounded by the Brethren for the Proteſtation in the Conference at *Edinburgh, November 1655.* as conducive and fit means to the making up of a ſolid Union and well-grounded Peace.

In the next place, we deſire it to be conſidered, Whether theſe Overtures of *Union* and *Peace* propounded by theſe Brethren, be not very unequal : It hath been, and is their manner to profeſſe and print, that they are willing to offer very equal terms of Peace ; So in the ninth page of this Declaration, *That they have already offered, that though they hold faſt their own judgment, yet they will not impoſe upon the Proteſting Brethren their judgments in the matter of their firſt difference.* But theſe profeſſions,

sessions notwithstanding, they do in sundry particulars impose upon their judgment; As first, in the matter of the *Protestation*: They do require that these Brethren do declare, that their Protestations against the two late controverted Assemblies and their Resolutions and Acts therunto relating, shall not hereafter be made use of in any Judicatory of this Kirk, for continuing (as they are pleased to expresse it) or holding up debates about the matter of our present differences; So in their Paper of the sixteenth of *November 1655.* in the Conference at *Edinburgh*, which in another Paper of the 24. of *November* at that Conference, they expound thus, That their meaning is, that they shall not make use of these Protestations in any Judicatory to call in question and annul the Constitution and Authority of these two late Assemblies; which if the protesting Brethren should consent unto, would upon the matter make them to condemn their own judgement, and infer their passing from, and renouncing of these Protestations in so far as they might be a remedie against the corrupt Constitution of these two Assemblies. in order to which they did conceive themselves bound in duty and conscience to make them; yea, it should with their consent make way to establish for the future the Constitution and Authority of these two Assemblies, because it should with their own consent, take out of the way all the legall barr that is standing against that Constitution and Authority. Secondly, What greater imposing can there be upon their judgements, or what more unequal conditions of Peace can be propounded unto them then

then to require that they should engage themselves to an absolute and unlimited submission to the Sentences of the Kirk-judicatories, especially when the Resolution Brethren are not only the plurality in most of the Judicatories, but when many of them are not such for qualification and carriage as they ought to be; What were this but to give-up their judgments and consciences unto the meer arbitrament and will of men, to be imposed upon by them, and ruled at their pleasure? Thirdly, How unequal a Proposal is it, that the matters in difference shall be referred and submitted to the determination of the next General Assembly, when most of the Ministers of the Land, of whom that Assembly is in all probability to be made up, (how contrary to the Covenant, and many Acts and Declarations of former uncontroverted Assemblies is already declared) have engaged themselves many wayes for these Resolutions, which are the ground of the difference. These few particulars may make it appear that the Resolution Brethren do not walk with an equal and even foot in their Proposals; We mean, they do not offer such terms of Peace as are equally free of imposing upon either party, or do equally yield as much as they require; which we do not take notice of as if this were a commendable and approved way in the things of God, we judge it but the effect of the wisdom of the flesh and to smell rankly of a carnal poltick spirit, to half and divide the things of God, for making Peace amongst men: But to discover that our Brethren do not walk up to their own professions in the
matter

matter of Union and Peace , and that whilst they would make the Nation and the World believe, that they offer equal Conditions, and do not desire in any thing to impose upon their Brethren ; yet their Conditions are very unequal , and that they would highly impose upon them.

But if the Overtures for Union and Peace, propounded by these Brethren, were insufficient and unequall only , though upon these two branches there be just ground for the Protesting Brethren to deny them entertainment ; yet were they more tolerable, if they did not involve injustice and iniquity , which might be shewed in sundry particulars : But this Answer having drawn to a greater length then was at first intended , we shall now only speak to that one , in which these Brethren assert the essence and being of Presbyteriall Government to consist ; and for denying of which, they hold forth the Protesting Brethren , as men that have receded from their former principles, and have in their judgments and practises turned adversaries to the very being of the Government, to wit , That arbitrary and unlimited submission to the Sentences of the Church-judicatories , in matters of Discipline and Government, which is required by these Brethren. We have already spoke unto the state of the question , and have shewed how far submission to the Sentences of the Judicatories of the Kirk is condescended and yielded unto by the Protesting Brethren ; as also , how far it is urged and required by the Brethren for the Resolutions , and what Reasons and Grounds they do bring for their judgement in that particular,

to which we have answered. It now remaineth that we should bring these Reasons, that seem to plead the unwarrantableness and iniquity of that Submission required by them, that if they can conveniently satisfy therein, they may be receded from; or if otherwise, that they may cease to urge that matter any further; or at least, that indifferent persons may know that it is not refused, but upon weighty reasons. Before we propound our Argument, we shall premise some common and known truths, concerning Church-Judicatories, and their Decrees and Sentences; As, 1. That (to express it in *Calvins* words, in the eight chap. of the fourth book of his Institutions) whatsoever reverence or dignity is by the Spirit of God in the Scriptures given, whether to the Priests, or Prophets, or Apostles, or their successors, all of it is given not properly to men themselves, but to the Ministry, wherewith they are clothed; or (to speak more expeditly) to the Word; the Ministry wherof is committed unto them, *Exod. 3. 4. Exod. 14. 31. Deut. 17. 9. Mal. 2. 4. 6. Deut. 17. 10. Ezek. 3. 17. Jer. 23. 28. Jer. 1. 6. Matth. 28. 19. Acts 15. 10, &c.* 2. That as their Authority is founded upon, and wholly derived from the Word of God; so in the administration and exercise thereof, they are in all things to walk according to this rule, *Isa. 8. 19, 20. Mal. 2. 6, 7. Matth. 28. 19.* 3. That Church-power is not a Lordly and Magisterial-power, but a Lowly and Ministerial-power, not an absolute and Autocratic, but a limited and Hyperetick-power; and that Church Decrees and Sentences are all of them *regulae regulatae*, rules that are

are subordinated, and do not binde but in the Lord, and so far as they are conform to that first inflexible and un-erring-rule, prescribed by Himself, *Luke 22. 24, 25, 26, 27. Gal. 6. 16. 1 Peter 5. 2, 3. 2 Tim. 3. 15, 16, 17. 1 Thes. 5. 12. Ephes. 6. 1.* Calvin treating of Church-power, saith well, *Non est igitur Ecclesiae potestas infinita, sed subiecta Verbo Domini, & in eo quasi inclusa. Inst. lib. 4. cap. 8.*

4 That all Church-judicatories, whether Congregational-Ederships, or Presbyteries or Synods, whether Provinciaall or Nationall, or œcumenick, being constituted of men that are weak, frail and ignorant in part, are in their determinations fallible and subject to Error, *Isai. 40. 6, 7, 8. Rom. 3. 4. 1 Cor. 13. 9, 12.*

5. That in so far as any of these do actually erre and decline from the Truth, they do in so far act without power and authority from Jesus Christ: They can do nothing (of themselves, they may do, but not by His Commission and Warrant) against the Truth, but for the Truth, *2 Cor. 13. 8.* The Power which He hath given them being to Edification, and not to Destruction, *2 Cor. 13. 12.*

6. Sad experience, almost in every generation, doth teach us, that Church-guides and Church-judicatories do oftentimes decline from the streight-ways of the Lord, and decree unrighteous decrees, and write grievous things, which they have prescribed, *Isa. 9. 15, 16. Jer. 8. 8, 9. Mal. 2. 8, 9. Jer. 2. 8.* And that whilest they are boasting of the Authority given to them of God, and of their skill in the Law, and professing to walk according therto, they are perverting the precious Truths of God, and persecuting these who

who cleave thereunto, *Jer.* 18. 18. *Isa.* 66. 5. *Job.* 7. 48, 49. 7. That the same Lord, who hath commanded us not to despise Prophefying, *1 Thes.* 5. 19. hath also commanded us to prove all things, and to hold fast that which is good, ver. 20. And no to believe every spirit, but to try the spirits, whether they be of God, because many false prophets are gone forth into the world, *1 Job.* 4. 1. And that whatsoever is not of Faith is sin, *Rom.* 14. 15. And that we ought not to be the servants of men, *1 Cor.* 7. 23. That is to do things (especially in the matters of God) for which we have no other warrant, but the mear pleasure & wil of men, which the apostle *Peter* calls living to the lusts of men, and not to the wil of God, *1 Pet.* 4. 2. And that it is therefore both the duty and priviledge of every Church-member, and of every inferior Church-judicatory, to examine by the judgement of discretion every thing which the Church-authority joyneth, whether it be agreeable or repugnant to the rules of the Word; and if after a diligent and impartiall search it be found repugnant, they are not to bring their consciences in bondage therto, neither is the allowing and exercising of the judgement of discretion by inferiours, the setting them as judges over their superiours, or making them transgress the line, or limits of that due subordination and submission appointed unto them of God. Protestant Divines in their writings, *de judice Controversiarum* have fully answered this, and shewed us, That it doth not make a private man or an inferiour, Judge of the Sentences and Decrees of his superiours, but only of his own actions. Having premised these

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things, we offer these Reasons against the Submission, so much pleaded for by our Brethren.

First, This submission, we mean an absolute submission, or such a submission as is comprehensive of subjection to such Decrees and Sentences of Church-Judicatories as are upon the matter, and for the ground of them unjust and repugnant to the Word of God, hath neither precept nor precedent for it in the Book of God ; if any man say, it hath, we desire him to bring it forth : we know that the Lord did enjoin His People under the Old Testament, under very severe punishments, to do according to the sentence which they should be taught by the Priests, the Levites, in the place which the Lord should choose, *Deut. 17. 9, 10, 11, 12.* But *Calvin* telleth us well, *Ubi de ijs audiendis agitur, ibi nominatim ponitur, ut secundum Legem Dei respondeant :* That in the same Scripture where it is commanded to hear them, that it is also commanded, that they should answer according to the Law of the Lord. We also know, that under the New Testament we are commanded to obey them that have the rule over us, and to submit our selves, but it is in the Lord, *1 Thess. 5. 12.* that which we call for is some precept or binding precedent in Scripture, that holdeth forth submission to an Ecclesiastick Determination or Sentence, that is unjust and contrary to the Word of God.

2. It is contrary to clear Scripture precepts and Scripture precedents : to Scripture precepts, such as these, *Be not servants of men, 1 Cor. 7. 23. Stand fast therefore in the liberty wherewith Christ*
hath

*bath made us free, and be not intangled again with
 the yoke of bondage, Gal. 5. 1. It is better to obey
 God then men, Act. 5. 29. Preach the Word, be
 instant in season and out of season, 2 Tim. 4. 2. Do
 this in remembrance of me, 1 Cor. 11. 24. To refrain
 from duty upon the meer will and commandment
 of men, is to be a servant unto men, and to be-
 tray Christian liberty, and to be intangled with
 the yoke of bondage, and to obey man rather
 then God: and to say, that we will not preach
 the Gospel, nor receive the Sacrament of the
 Lords Supper, though God hath commanded us
 so to do; Let us suppose that a man duely quali-
 fied is suspended from the Sacrament of the Lords
 Supper, or from the exercise of the Ministrie, or
 excommunicated and cast out of the Church,
 because of his pressing and holding forth some
 precious Truth of God, which a Kirk-Judica-
 tory condemneth for a lie, and passeth such Sen-
 tences and Censures upon him because he doth
 adhere thereunto; Shall we say, that this man is
 bound not to communicate, not to preach the
 Gospel, to absent himself from the fellowship
 and Prayers of the Saints? Our Brethren will
 haply tell us, that he is bound for Peaces sake so to
 do, till his appeal be discussed. But what shall
 the ianocent man do when it is discussed against
 him, and the unjust sentence of the inferiour Ju-
 dicatorie confirmed by the superiour? shall he
 go to a higher, and when he is gone to the highest,
 and is condemned there too, (as Christ was cruci-
 fied at *Jerusalem*,) what will they now allow him?
 will they have him still to be a servant of men,*

and still to be in bondage? and though the Lord Jesus hath commanded him to preach the Gospel, and said unto him, *Wo unto thee, if thou preach not the Gospel*; and hath commanded him, to eat of His body, and drink of His blood, and not to forsake the assembling himself with the Saints of God; yet, because men *pro arbitratu & imperio*; yea, because of his adhering to the Truth of God which they have rejected and condemned, hath forbidden him so to do; *That he shall not obey God, this is a hard saying, who can receive it?* It is also contrary to clear Scripture precedents, *Jeremiah* was often commanded by the Authority both Ecclesiastick and Civil, to forbear speaking of the Word of the Lord; yet did he give no subjection to the sentence, either of the one or of the other, but went on in his Ministrie, notwithstanding of all the Inhibitions and Censures past against him, *Chap. 26. ch. 32. ch. 37. and ch. 38.* *Amos* was commanded by *Amaziah* the Priest, to prophesie no more at *Bethel*, because it was the Kings Chappell and the Kings Court; yet he did not submit, but did counteract that commandment, and did continue to prophesie in the Name of the Lord, *Amos 5. 13, 14, 15, 16.* *Daniel* was commanded to make no petition to any God or Man for thirtie dayes, save to King *Darius*; yet did he not submit, but counteract, by going into his house, and opening his Chamber-window towards *Jerusalem*, and kneeling on his knees three times a day, and praying, and giving thanks before His God as he did aforetime, *Dan. 6. 6, 7, 8, 9, 10.* The Jews did

did agree, that if any man did confesse that Jesus was the Christ, he should be put out of the Synagogue; yet did the poor man, whose eyes He had opened, confesse Him openly; and though he was actually cast out for doing of it, yet did he not submit, but went on to confesse Him still, *Job. 9. 22, 30, 31, 32, 33, 34, 35, 36, 37, 38.* The Apostles were commanded once and again by the Council at *Jerusalem*, not to speak nor teach any more in the Name of *JESUS*; but they told them, that they could not but speak the things which they had seen and heard, and that they ought to obey God rather than men, and notwithstanding they were first threatened, and afterwards imprisoned, and thirdly beaten by them for so doing; yet did they not submit nor forbear, but daily in the Temple and from house to house they ceased not to teach and preach Jesus Christ, *Act. 4. 19, 20, 21. Act. 5. 17, 18, 29, 40, 42.* Paul being accused, first before *Festus*, and afterwards before *Felix*, the Roman Deputies, That he was a pestilent fellow, and a mover of sedition amongst the *Jews* throughout the world, and a ring-leader of the Sect of the *Nazarens*, who also had gone about to profane the Temple; Did not only appeal to *Cesar*, but went on in his course, and preached the Gospel, and preached that the *Jews* killed the Lord Jesus, and their own Prophets, and persecuted the Apostles, and pleased not God, and were contrary to all men, *Act. 24. 5, 6. Act. 25. 7, 8, 9, 10. 1 Thess. 2. 15.*

3. This submission dethroneth Jesus Christ, who only hath power over the consciences of men,

to bind them by His Authority, by attributing such a Power and Authority to Church-Judicatories as doth bind mens consciences upon their meer arbitrement and pleasure: for, we must be subject, because they will have it so, though the reason why they command this subjection, to wit, our supposed delinquencie, be a meer *non ens* and such as hath no foundation in truth and equity. If it be told us, that the conscience is not bound, because the judgement is still left free, and the outward acts only restrained. We would have our Brethren to remember, that some of themselves, and others who did oppose conformity to the Ceremonies, did tell the Prelats and their party, when they used this defence against the argument taken from binding the conscience, to wit, That if the bare Authority of an Ecclesiasticall Law, without any other reason then the will and pleasure of men, be made to restrain us in the use of things which are in themselves indifferent, then is Christian liberty taken away; and if so in things indifferent, how much more is it so in things necessary, such as keeping fellowship with the Assembly of the Saints in publick Prayers and Praises, and eating and drinking at the Table of the Lord, and preaching the Gospel, &c. the practice whereof are things commanded of God unto persons duely qualified and instructed thereunto. If it be said, That these things cease to be obliging duties to such a person *hic & nunc*, and that the sentence of the Church commanding him to abstain, looseth him from the obedience that he doth otherwise owe unto the

the Commandment of God : we desire a warrant from the Scripture of Truth for such Doctrine, as that which preferreth the Commandments of men unto the Commandments of God, and say, That it is better to obey men than God. Shall the sole will and meer pleasures of men loose a man from the obligation he oweth unto the Commandments of God ? If so, let us no more blame the Pope for dispensing with divine Laws. I cannot abstain from taking Christ's body and blood, or from preaching the Gospel, saith the innocent man, unjustly sentenced, because I am thereunto called and commanded of God. But saith the Synod or Kirk-judicatory, We have commanded you to abstain, and therefore you should abstain, and may be satisfied in your conscience so to do ; because our Command looseth you from the Commandment of God. Hence a fourth Argument.

4. This submission concludeth a man under a necessity of sinning against God, by omitting those necessary duties that are commanded him of God, upon a non-relevant reason, to wit, the meer will and pleasure of men, to whom God hath given no power against the Truth, but for the Truth ; no power to destruction, but to edification.

5. If such a submission be due to the Judicatories of the Kirk in matters of Discipline and Government, We do not see how it is not also due unto them in matters of Doctrine and Worship. The authoritative and juridical power belonging to Classes and Synods is threefold, *Dogmatick*, *Diatactick* and *Critick*. *Dogmatick*, in reference to

matters of Faith and Rules of Worship, which
 God hath laid down and prescribed to us in His
 Word, and the inconsistency of heresies, errors,
 and corruptions therewith. Diatactick, in re-
 ference to external order and policy in matters cir-
 cumstantial, relating to time, place and persons, the
 conveniency whereof is determinable by the light
 of Nature and Christian prudence, and the general
 Rules of the Word; such as these, That we should
 do all to the glory of God, to the edification of
 the Church, and in order and decency, &c. Cri-
 tick, in reference to the repressing of Scandal, Er-
 ror, Heresie, Schism, Obstinacie and Contempt,
 and preserving of the Purity of the Truth, and Ho-
 lineſſe of Conversation, and Unity of Judgment
 and Affection in the Church of God, by exerci-
 sing the spiritual censures of Admonition, Suspen-
 sion from the Sacrament of the Lord's-Supper,
 Excommunication and Suspension, and Deposi-
 tion from the Ministry. Now all these Powers
 being authoritative, and in their determinations
 and exercise confined unto, and circumscribed
 within the bounds of the Word of God, for their
 rule and being, given to the Church for edifica-
 tion and not for destruction. We would desire
 from our Brethren a Reason, why the Critick-
 power should be more binding than the other?
 or, why submission is due to an unjust sentence
 proceeding from the Critick-power, whilst it is
 not due to any erroneous or corrupt Decree pro-
 ceeding from the Dogmatick or Diatactick power;
 Hath God put more honour and respect upon the
 last than upon the two first? Or, hath He given
 greater

greater latitude in the exercise of the last nor of the two first? or, is the last binding by the meer will and arbitrement of men, whilst the two first bind only when agreeable to the Word of God: If our Brethren do so judge, We desire to know where these foundations of difference betwixt these powers are written, or what they do bring for them from the Book of God? or, how in reason they can consist, when the last shall be contrary to the two first? And if this submission be equally due to the judicatories of the Kirk in all the three; then if they shall determine that Justification by Faith alone is an error, That Communion under both kinds is not necessary, That kneeling is a necessary gesture at the Sacrament; That it is necessary to forbear working on Yule-day and to keep it holy, and such like; We are bound not to profess, nor preach, nor act contrary to these their determinations: which were to be ashamed of, and to deny the Lord Jesus and His Word before men, and to bring upon our souls the dreadfull Gospel-curse of His denying, and being ashamed of us before His Father and the Angels which are in Heaven, *Matth. 10. 33. Mark 8. 38. Luke 26.*

6. But upon supposal that this submission were not due to the Decrees of the Church in matters of Doctrine, Worship and external Order, by vertue of the Dogmatick and Diatactick power in themselves; yet the asserting of it in matters of Discipline shall also necessarily infer the asserting of it in matters of Doctrine and Worship, and external Order. The Commissioners of the Gen. Assembly,
1650.

1650. did declare, That a great company and faction of wicked men, sons of *Belial*, being subjects, may and ought, in the case of necessity, be employed in a Christian Army and Covenanted Nation, for the defence of Religion and the Country. And the Assembly at *St. Andrews* and *Dundee*, in anno 1651. do by vertue of their Dogmatick-power approve of, and ratifie this Doctrine and Declaration, and do withall by their Critick-power appoint and ordain, That whosoever will not submit to this Determination, but shall oppose by professing or preaching otherwise, shall be proceeded against with the censures of the Kirk. We ask, whether these censures, being put in execution, by suspension from the Sacrament, against these who professe otherwise, or by Suspension or Deposition from the Ministry, against those who preach otherwise: if this submission which is required (being given to these censures) will not necessarily infer, that they must not continue to profess or preach any more so: And if this by necessary consequence be not an absolute submission to the Dogmatick-power aswell as to the Critick: Or, let us take it in the case of *Athanasius*, who was deposed and excommunicated for professing, and preaching, and pleading Jesus Christ to be the consubstantial Son of God, or in the case of a person suspended from the Sacrament, or deposed from the Ministry, because of their professing and preaching against kneeling at the Communion; Will not such submission to these sentences as excludes all counteracting, unlesse it be to appeal, necessarily infer submission to the Decrees themselves,

selves , so as the person censured must be silenced, and not professe, nor preach, nor plead any more for the one Truth, nor against the other Error.

7. To wave a little that which concerneth private and particular persons, We offer it to consideration, whether inferiour Kirk-judicatories are subordinate to the greater , and superiour simply and absolutely, because they are greater and superiour, or, because the inferiour have no intrinsick power given them by Jesus Christ , but in, and with subordination to the greater, because greater. If so, it would seem that all the inferiour Judicatories of the Kirk . Congregational-Elderships, Presbyteries, and Provincial Synods must be fenced and act in the name, and by vertue of the authority derived from the General Assembly , as all those Civil Courts that have no intrinsick power in themselves, but in, and with subordination to the supream Civil Magistrate, are fenced in his Name and act by vertue of his Authority. Inferiour Kirk-judicatories, being Ordinances of Jesus Christ , have the promise made to them when they meet in His Name and do adhere to His Truth, *Mat. 18. 18, 19*. And if so, shall the sentence of the superiour Judicatory, when wrong upon the matter , oblige them to submission. If a Presbyterie, or a Synod with the consent of the Presbyterie, do in an orderly way of procedure, cast out an heterodox and scandalous Minister, Must they, because the Synod or General Assembly doth sustain his unjust appeal, be obliged in conscience again to receive him as a member of the Presbyterie or Synod , and acknowledge him for a lawfull

full Minister of the Gospel ; or, if they have in an orderly way of procedure, admitted an able orthodoxe godly man to the Ministrie : Must they, because the superiour Judicatory commands them so to do, cease to acknowledge him or own him for one of their number, or as a Minister of the Gospel : it so, it seemeth to be an ill-grounded Truth that is commonly delivered by some Divines, writing of Synods, That the power of Synods is not corruptive, privative, or destructive to the power of Classsical Presbyteries or single Congregations, but perfective, acumulative, and conservative thereunto.

8. What is denied *jure* to œcomenick Councils, and so lawfully called Prophets and Ministers of the Gospel, to *Nathan*, to *David*, to *Paul*, to an Angel from heaven, *Gal. 1. 8.* cannot warrantably be given to General Assemblies. If œcomenick Councils, lawfully called Ministers, if *Nathan*, if *Samuel*, if *Paul*, if an Angel teach or decree but according to the Word of the Lord, we are to counteract, and to contradict, *Gal. 1. 8.* But though we or an Angel from heaven, preach to you, *πᾶς δ' ἐυαγγελισαμεθα* beside what we have preached, let him be accursed, *Gal. 1. 8.* Therefore, &c.

9. What is *proprium quarto modo* to the Scripture of Truth, it cannot warrantably be given to the Judicatories of the Kirk, but not to be counteracted nor contradicted, is *proprium quarto modo* to the Scriptures of Truth, these being the only infallible rule in matters of Doctrine, Worship, Discipline, and Government, *Isa. 8. 20.* 2 *Tim.* 3, 16.

3. 16, 17. Therefore it cannot be given to the Judicatories of the Kirk; and to give it, inferreth their infallibility, and exposeth our Government to the calumnie of Sectaries, who say, we make Synods as infallible as the Word of God.

10. This argueth the Scriptures of imperfection, and setteth up the necessity of humane traditions; because every warrantable subordination and submission due to the Judicatories of the Kirk, must be given of Christ; but no where is it written in the Book of God, that a Generall Assembly hath power given of Christ, to teach and enact such Points and Doctrines, and inflict such Censures, as no man may or ought lawfully to counteract or contradict; Therefore, &c.

11. This submission doth infer, That if a Generall Assembly, lawfully convened, should enact the Masse, and all the heresies of the Council of *Trent*, we may not preach nor write the contrary; for that is to counteract and contradict: But this is absurd, Therefore, &c.

12. Sentences of Kirk Judicatories, that are for the ground of them unjust and repugnant to the Word of God, are in themselves null; because all Church-power and Authority is included in the Word of the Lord, and to be regulated according thereto, *Isa. 8. 20. 2 Corinth. 13. 8, 10.* and what is null in it self cannot bind unto submission and subjection; Therefore, When Kirk-Judicatories act not in subordination to Jesus Christ, from, and under whom they have all

all their power, they may lawfully be contradicted and counteracted.

13 This submission is prelaticall, and introduceth a lordly and absolute power and dominion in the Church of God, over the Flock and Ministers of Jesus Christ. It is indeed the very image and likeness of that subjection and submission that was required by prelates of Intrants to the Ministry. Bishop Spotswood in his Sermon at Perth Assembly, telleth his hearers, *That the sentence of superiours as long as it hath the force of a constitution, though haply otherwise established then it can set forward Godliness and Piety; and that we be perswaded that such things are not right nor well appointed, yet ought to direct us, and is a sufficient ground to our consciences for obeying.* Narrat. of the proceedings of Perth Assembly, by Doctor Lindsay. page 29. And in the same place he gives this as the reason of his judgement. *Except this be (saith he) there can be no order, and all must be filled with strife and contention; The same thing that our Brethren now tell us, that they do not see how without this submission, Unity and Order can be continued in the Kirk.* Doctor Lindsay also himself, afterwards Bishop of Edinb. in his Epistle to the Pastors and Ministers of the Church of Scotland, prefixed to his book of the proceedings of the Assembly at Perth telleth us, *That where a man hath not a law, his judgement is the rule of his conscience: but where there is a law, the law must be the rule.* And in the Oath which was ministered to the Intrants to the Ministerie in this Church by the Prelates, they make the Intrants to swear, *That they shall live peaceable Ministers in this Church*

Church, subjecting themselves to the Orders that therein are, or shall be established, & that by all means that they can use, they shall procure others to the due reverence of the same; which things (saith the intrant in that oath) if we shall contraveen (as God forbid) we are content upon triall and cognition taken, by our ordinary without all reclamation, or gainsaying, to be deprived of our Ministry and be reputed Infamous and Perjured Persons for ever. And to the same purpose there is in the Book of Canons and Constitutions Ecclesiasticall for the Government of the Kirk of Scotland, ratified and published by Authority, 1636. A Canon appointing, That if any person in holy Orders, lawfully Suspended, or Deposed (that is) in their sense, Suspended or Deposed by his ordinary, for transgressing any of these prelati- call Cannons, Shall presume to exercise any Ecclesiasticall Function during the time of his suspension, or after he is degraded, let him be Excommunicated, and delivered to the Lay-power as incorrigible. Just so our Brethren will have the Protesting Brethren to engage and promise absolute submission to the Sentences of the Judicatories of the Kirk, whether just or unjust; and because they do refuse it, charge them with breach of their Engagements at their entrance to the Ministry, and as subverters of the very being of the Government. And what they would do, if they had the Civil-power to concur, is but too apparent, from these hard representations they gave them to the Civil-power, in the year 1651. and brewd hints and insinuations which they made hereupon.

14. This submission is so far from being any part

part of Catholick truth, much less of the essence and being of Presbyterial Government, that it seems to be a tenet purely Popish and Antichristian; and pleades for a Government that is not Presbyterian, but Popish and Antichristian: Who knoweth not that the favorites and Emmisaries of the Sea of Rome do with might and main plead for this absolute and unlimited subjection and submission to the Decrees and Sentences of the Pope, wherein they are opposed by Protestant Divines: *Debet excommunicatus, & si innocens* (saith a Popish Author) *aliorum consortia fugere & a sacris abstinere; igitur inproprie Christi instrumentum dicitur Papa cum aliquæ illius actiones, a Christo non impellantur nec acceptantur.* Andr. Davallius, in 22. part, quest. 8. *He that is excommunicate* (saith he) *albeit innocent, yet ought to shun the fellowship of others, and to abstain from holy things; therefore the Pope is* (saith he) *improperly called Christs instrument, because some of his actions are neither impelled by him, nor accepted of him.* So our Brethren will have a man that is suspended from the Sacrament, or deposed from the Ministry, or excommunicated, though unjustly, to abstain from the Sacrament, and from preaching, and from the fellowship of others, and from holy things: And whether this be in the dispensing of Church-discipline and Government, to be the Instruments and Ministers of Christ, or if it be not indeed to play the Pope, and to set up Ministers and Servants above the Master of the house, we leave it to sober and unbyassed men to judge?

15. This unlimited submission leaves the Church destitute

destitute of all Ecclesiasticall remedies, in the case of a general defection, and doth open a wide door for making the Government of the House of God degenerate into Tyranny, and in stead of being a mean of purging and preserving of Religion, to be a mean of polluting and destroying the same, and persecuting and bearing down such as desire to keep their garments pure, whether Ministers or Professors : What is Tyranny ? but when these that are in power will have inferiours, without gainsaying or counteracting to yeeld subjection to their dictates and commands, though there be nothing but *sic volo sic jubeo*, no reason of equity in them, but their own meer arbitrament and pleasure ; or though there be iniquity and injustice in them, *Dan. 11. 36.* and when subjection without gainsaying is not only required of private and particular men, but also of all inferiour Judicatories, and even of these that are clothed with lawfull power and authority. Was not this the State-tyranny that was formerly exercised and pleaded for by the Malignant-party, to which there was publick opposition made by defensive Armes, that are generally acknowledged by all sober men, both Politicians and Divines, to be a lawfull mean of a peoples preservation from the ruine that is threatened by Tyranny ? And shall we now set up a Church-tyranny, the meer will and abutement ; yea, the unjust Sentences of Church-judicatories, for Laws, and require absolute submission thereunto, not only of private and single persons, but of all inferiour Judicatories, not allowing the Congregational-eldership once to whisper against what is resolved by the Pres-

byterie, or the Presbyterie against what is resolved by the Synod, or the Synod against what is resolved by the General Assembly. If then the superiour Judicatories will tyrannize, what remedy is there? or if they become corrupt, how shall the ruine of Religion, or the persecution and oppression of these who desire to keep Faith and a good Conscience, be avoided? Have the Ministers and Saints and Courts of Jesus Christ received Religion and His Ordinances upon these terms, that if a superiour Court will have it so, they shall all crouch down, as Asses under the burden, and let them, without gainsaying (they being now cudgel'd into silence by a sentence of suspension from the Sacrament, or Deposition or Excommunication) ruin Church, and Ministers, and Ordinances, and Professors, and all the precious interests of Jesus Christ; And shall we say that such a submission is required in this case, as though they ought to do nothing but weep and pray in secret? How great tyranny is this, and how remediless a way to ruin? And yet, this is the consequent of our Brethren's opinion. If they tell us, that there is no hazard of these things, because the Church of *Scotland* is sound in Doctrine, and Worship, and Discipline, and Government, and that it is upon the account of the soundnesse of the Church-judicatories only, that they challenge this submission as due unto them: We desire 1. to know whether they will grant that such a submission, as they do now plead for, may be denied to Church-judicatories that are unsound? and what degrees of unsoundnesse they will have them to fall into before this submission can be warrantably

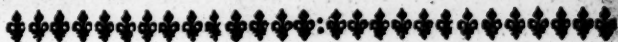
ably denied unto them? It seems to us, by our Brethrens judgement, as long as they keep any thing of the being and authority of Kirk-judicatories, though they be corrupt, not only in the particular Determinations, to which submission is required, but in many things besides, both in Doctrine, and Discipline, and Government, this submission must be granted them, because to deny it, is to deny the very being and essence of the Government: How this shall be avoided we do not see, unless they say, That a Church-judicatory that is unsound in any point of Truth doth lose its being and authority, which we hope they will not say, having in some of their Papers charged it as heterodoxie upon the Protesting Brethren. 2. As we shall be glad that they will confine this submission to sound Judicatories, upon the accompt of their soundnesse only; so in the case of their so doing, we do not see what this importeth more in the matter of submission than the Protesting Brethren are willing to yeeld, to wit, A submission to all sound Determinations and just Sentences of the respective Judicatories of the Kirk, without any counteracting; because if it be given to them upon that accompt only, that they are sound, then is it only to be given to them when they are sound and right in their resolutions and actions, which the Protesting Brethren willingly yeeld, and be like, in some particular cases somewhat more. We finde them in their last Paper, in the Conference at *Edinburgh*, November, 25. 1655. professing that if the case were only of particular persons, in things of more private interest and personal concernment, and of Judicatories

imploying their power to edification in the current of their actings, they would not much contend about it. But 3. the Protesting Brethren do deny that the Church of *Scotland* is now sound: It is their sad complaint, that there is in the Church the plurality of her Judicatories, very much practical unsoundnesse, not only because of their not improving the precious Ordinances of God, for bearing down of the kingdom of sin and Satan, and advancing the Kingdom of the Lord Jesus Christ, but also because of their abusing of them in many things, for a carrying on of a course of defection from former integrity and purity, and a course of persecution against godly Ministers, and Elders and Professors in the Land, who cannot be consenting to their backsliding courses: therefore, do these Brethren conceive that they have the more reason to refuse to engage themselves to an absolute submission to the Sentences of the Church-Judicatories, whilst the power is in such hands, because it were to betray themselves and the Work and People of God, to the lusts and will of men. We conclude this debate of the nature of that submission that is due to Church-Judicatories, with two testimonies of men, who are deservedly acknowledged to be great and worthy asserters of Presbyteriall-Government. The first is of the Authors of the Divine-right of Church-Government, who in the 15. Chap. of that book treating of the subordination of particular Churches to greater Assemblies, for their authoritative judging and determining of causes Ecclesiasticall, and the Divine right thereof, do write thus; "It is granted (say they) that the highest Eccle-
" siasticall

"fiaticall Assembly in the world, cannot require
 "from the lowest, a subordination absolute and
 "*pro arbitrio*, i. e. at their own meer will and
 "pleasure; but only in some respect, subordina-
 "tion absolute, being only to the Law of God,
 "laid down in the Scripture. We detest Popish
 "tyrannie which claimeth a power of giving
 "their will for a Law. It is subjection in the
 "Lord that is pleaded-for, the straightest rule in
 "the world, unlesse the holy Scripture, we
 "affirm to be *regulam regulatam*, i. e. a rule to be
 "regulated, peace being only in walking accord-
 "ing to Scripture Canon. Gal. 6. ver. 16. The
 "other is of our Country-man, Mr. George Gillespie
 "in his Assertion of the Government of the Church
 "of Scotland, the *sec. part, ch. 2. page 127.* "We
 "must distinguish (saith he) betwixt a depen-
 "dence absolute, and in some respect; a Congre-
 "gation doth absolutely depend upon the holy
 "Scriptures alone, as the perfect rule of Faith,
 "and manners, of Worship and of Church-Gov-
 "ernment; for we accurse the tyrannie of Pre-
 "lates, who claimed to themselves autocratorick
 "power over Congregations to whom they gave
 "their Naked-will for a Law: one of themselves
 "told a whole Synod, that they ought to esteem
 "that best which seemeth so to superiours; and
 "that this is a sufficient ground to the consci-
 "ence for obeying, though the thing be inconve-
 "nient. We say, that Congregations ought in-
 "deed to be subject to Presbyteries and Synods,
 "yet not absolutely, but in the Lord, and in
 "things lawfull: and to this purpose the consti-
 "tutions of Presbyteries and Synods, are to be ex-
 "amined

“ amined by the judgement of Christian discre-
 “ tion ; for a Synod is *judex judicandus*, and re-
 “ gula regulata, so that it ought not to be blindly
 “ obeyed, whether the Ordinances be convenient
 “ or inconvenient.

Having now vindicated the Protesting Brethren from the Aspersions unjustly cast upon them in that Declaration, and given a Reason why they cannot accept thereof, as containing right and fit foundations of Union; We have only to add, That we know and are perswaded in our spirits, that as the divisions of this Church, are amongst the deepest wounds and greatest afflictions of their souls; so there is nothing (next unto communion and fellowship with God in his Truth) which they do more earnestly desire, than a sinlesse Union and Peace in the Church; and would redeem it at any rate that shall not pollute their consciences, and widen the breach with God: And therefore, as through the goodnesse and mercy of God, these Brethren have a witness of their innocency, and of the justice of their cause in the hearts of many of the precious and godly in the Land: So we desire, that none of the Lord's People will receive the accusations that are laid against them, or look upon them as men of implacable spirits, who hold up contention and division in the Church, but esteem them such as stand for the defence of the Truth, and are seeking and pursuing such an Union and Peace as may be not for the destruction, but for the preservation of the *Truth and Cause of God*, which they conceive themselves bound to, and tender before their own Persons and Ministry



P O S T S C R I P T.

After that this Answer was sent to the Presse, the Authors of the Declaration, to which it doth contain a Reply, together with several other Brethren of their judgment, meeting at Edinburgh, in an extrajudicial way, two moneths after the first publishing thereof, did resolve that the Declaration should be tendered to the several Presbyteries of that judgment, for their approbation, and thereafter offered by them to the Protesting Brethren in the several parts of the Country, and that their Answer should be desired thereupon. Whether the imputation which they conceived to be cast upon them, by some Synods refusing to declare themselves, as to their approving thereof, (of which we have had a credible report) or any other consideration did lead them hereunto, we shall not determine; but we cannot but take notice, 1. That herein they have had little or no regard to the due liberty of Presbyteries and Synods, notwithstanding of their great pretensions and professions unto the contrary in all their debates with the Protesting Brethren, a few private persons having first, without acquainting them with that Paper, or desiring their approbation thereof, published the same as the Judgment, and in the Name of the Brethren who are for the established Government of the Kirk of Scotland, and then ex post facto a long time after it had gone abroad materially in their names, to endeavour to engage them in the approbation thereof. 2. That the Presbyteries of that judgment have walked in a very different and dissonant way in order to that Paper,

Some of them
 in the
 nature
 without ju-
 rying the Narrative thereof; and others having ap-
 proven the whole Paper, Title and Body, as it stands,
 and in these terms tendered it, as a ground of Union
 and Peace. 3. That sundry of these Brethren and
 Presbyteries of the Resolution judgment, who have ap-
 proven and tendered this Paper to several of the Pro-
 testing Brethren, have done it in such a way as doth
 more savour of the customs of litigious men than doth
 bebecome the Gospel and Servants of Jesus Christ, to wit,
 by Civil Notaries, and Instruments required under their
 hand. 4. That some Presbyteries of that judgment,
 have, because of some Protesting Brethren of the Pres-
 byterie their refusing to joyn with them in condemning
 the practices and proposals mentioned in that Decla-
 ration, as contrary and destructive to the Government
 of this Kirk, declared them to be such as do dissent
 from the Government it self. Besides any thing that
 is said in the body of this Reply, it may by these things
 further appear what reason there was upon the one hand
 to hasten forth an Answer to that Paper, and upon the
 other, how small reason from the Paper it self, how
 lubrick grounds from the dissonant proceedings of the
 Resolution Brethren thereupon, the Brethren for the
 Protestation have to imbrace the same, as a foundation
 of Union and Peace: Or, if they do so, in how great
 a cloud of uncertainty they must walk, and what hard
 conditions they must swallow.

FINIS.

